

## IN THE MATTER OF

## WILLIAM A. REED CO., ET AL.

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION  
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

*Docket 5539. Complaint, Apr. 27, 1948—Decision, Aug. 22, 1951*

Where a corporation, with its president and four other individuals who, formerly partners, had theretofore transferred to it all their property rights and interests in the predecessor business, engaged in the interstate sale and distribution of their "Medrex Soap," "Medrex Ointment," and "Nulfey Tablets," in advertising their said products in newspapers and through radio continuities distributed throughout the United States, and in other ways, directly and by implication—

- (a) Represented falsely that the use of said soap was effective in treating and relieving externally caused pimples, blotches, broken-out skin, rashes, and blackheads, and would relieve itching and burning skin and restore a clear natural complexion in cases of blotchy skin;

When in fact it possessed no medicinal value and acted only as a cleansing agent;

- (b) Represented falsely that the use of said ointment as directed was a cure and effective treatment for all externally caused skin ailments or conditions, including pimples, blackheads, scabies, eczema, skin irritations or blemishes, etc., and would relieve the itching of skin blemishes and eruptions of external nature;

The facts being that although it would temporarily relieve itching of some skin blemishes and eruptions, it would not do so in all such conditions;

- (c) Represented falsely that its "Nulfey Tablets," Formula No. 1, would have a remedial action and would cure rheumatism, arthritis, sciatica, gout, lumbago, muscular aches and pains and neuralgia; that waste poisons caused the pains of neuralgia and rheumatism, and that said product would clear the system thereof and thereby relieve such pains;

The facts being that said preparation, by reason of its laxative effect, would cause the evacuation of waste materials from the intestinal tract, but would not accomplish the results claimed above; and

- (d) Represented that its "Nulfey Tablets," Formula No. 2, would relieve aches and pains and particularly muscular aches and pains, rheumatic pains, and headaches, backaches, and pains of simple neuralgia;

The facts being that while said tablets, both Formulas Nos. 1 and 2, because of their analgesic properties, would tend to relieve temporarily or reduce the pain associated with aforesaid ailments, the pain would return as soon as the analgesic effect wore off, and some pains associated with some of said ailments were so severe that the tablets taken as directed would not give complete relief;

With tendency and capacity to mislead and deceive a substantial portion of the purchasing public into the erroneous belief that such representations were true and thereby induce its purchase of said products:

*Held*, That such acts and practices, under the circumstances set forth, were all to the prejudice and injury of the public and constituted unfair and deceptive acts and practices in commerce.

*Mr. Randolph W. Branch* for the Commission.

*Mr. Matthew S. Biron*, of Philadelphia, Pa., for respondents.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said act, the Federal Trade Commission, having reason to believe that William A. Reed Co., a corporation, and Albert J. Sylk, individually and as an officer of said corporation, and Albert J. Sylk, William H. Sylk, Harry S. Sylk, Morris Soble, and Bernard Weinberg, copartners, operating as William A. Reed Co., hereinafter referred to as respondents, have violated the provisions of the said act and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent William A. Reed Co. is a corporation, organized under the laws of the State of Pennsylvania on October 1, 1945, with its principal place of business located at 1928 Spruce Street, Philadelphia, Pa. Albert J. Sylk is president of William A. Reed Co., a corporation, and formulates and directs the policies and practices of said corporation. Prior to about January 2, 1946, Albert J. Sylk, William H. Sylk, Harry S. Sylk, Morris Soble, and Bernard Weinberg operated as copartners under the name and style of William A. Reed Co., at which time the business operated by them under such name was sold to the respondent William A. Reed Co., a corporation.

The addresses of the individual respondents are: Albert J. Sylk, 1928 Spruce Street, Philadelphia, Pa.; William H. Sylk, 6953 Greenhill Road, Philadelphia, Pa.; Harry S. Sylk, 5117 Wynnefield Avenue, Philadelphia, Pa.; Morris Soble, 2277 Georges Lane, Philadelphia, Pa.; and Bernard Weinberg, 2319 North Fifty-first Street, Philadelphia, Pa.

PAR. 2. Respondent William A. Reed Co., a corporation, is now, and the individual respondents, as copartners, from some time prior to January 2, 1946, were engaged in the business of selling and distributing drugs and cosmetic products in commerce as drugs and cosmetics are defined in the Federal Trade Commission Act. The designation used by respondents for said products and the formulae and directions for use thereof are as follows:

Designation: MEDREX SOAP.

Formula: (1) Combination of tallow and cocoanut oil.

(2) 83 to 84% anhydrous soap.

(3) 10 to 12% moisture.

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- (4) 2% Medrex Ointment.
- (5)  $\frac{3}{4}$  of 1% perfume.
- (6) 0.5 of 1% glycerine.
- (7) 0.02 of 1% alkali.
- (8) trace of salt.

Directions for Use: To promote the healing of pimples and blackheads due to external causes, place a cake of Medrex Soap into a bowl of hot water and make a lather. Wash the skin thoroughly and allow the lather to dry on the affected skin. Rinse and dry, by patting with a clean, soft towel. Then apply Medrex Ointment with fingers, gauze or cotton. Do not spread on too thickly, as a thin coating is all that is needed. Use Medrex treatment nightly before bedtime. Every morning cleanse the face with Medrex Soap and hot water, working the lather into the pores; then rinse with cold water.

## Designation: MEDREX OINTMENT.

Formula: Acid Salicylic.....	1# 5 oz. 105 gr.
Benzoic Acid.....	1# 5 oz. 105 gr.
Zinc Oxide.....	13#
Amylum (Starch).....	13#
Petrolatum.....	39#
Acetanilid.....	8 oz.
Phenol (Carbolic Acid).....	5 oz.
Methyl Salicylate.....	4 oz.
Color.....	q. s.

Directions for Use: Apply gently on the affected parts twice a day. If necessary, it may be used more frequently. Later continue treatment less frequently as may be required.

## Designation: NULFEY TABLETS.

Formula No. 1: (Used Prior to October 1947.)

Each tablet contains:

P. E. cascara.....	$\frac{1}{4}$ gr.
P. E. Buchu.....	$\frac{1}{4}$ gr.
P. E. Uva Ussi.....	$\frac{1}{4}$ gr.
Methenamine.....	2 $\frac{1}{2}$ grs.
Acid Sodium Phosphate.....	2 $\frac{1}{2}$ grs.
Sodium Salicylate.....	5 grs.

Directions for Use: Take 1 or 2 tablets every 3 or 4 hours. If relief is not prompt, see your physician.

Formula No. 2: (Used subsequent to October 1947.)

Acetyl Salicylic Acid.....	3 grs.
Acetophenetidin.....	2 $\frac{1}{2}$ grs.
Grain Caffeine.....	$\frac{1}{2}$ gr.

Directions for Use: FOR ADULTS: 1 or 2 tablets. May be repeated in 3 hours if necessary. Do not take more than 5 tablets in any 24 hour period.

For Children over 7 years: 1 tablet only. May be repeated in 3 hours. Do not give more than 3 tablets in any 24 hours.

Do not exceed the above recommended doses in any 24 hours. If pains persist, recur frequently, or are unusually severe, consult a physician.

PAR. 3. Respondents cause and have caused said products when sold, to be transported from their place of business in the State of Pennsylvania to purchasers, thereof located in various other States of the United States and in the District of Columbia and at all times mentioned herein, maintain and have maintained a course of trade in said products in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 4. In the course and conduct of their business, respondent William A. Reed Co., a corporation, subsequent to about January 2, 1946, and the individual respondents as copartners prior to such time, but subsequent to March 31, 1938, disseminated and caused the dissemination of certain advertisements concerning said products by the United States mails and by various means in commerce, as "commerce" is defined in the Federal Trade Commission Act, including but not limited to advertisements in the Cincinnati "Star-Times," June 1944; in the Detroit "News" on or about February 16, 1944; in the Chicago "Herald-Examiner" from June 1946 to January 1947; Newark "Evening News" November 1947, and other nationally distributed newspapers in several States of the United States over the period of time covered in this complaint, and by means of radio continuities broadcast from Station WOL, Washington, D. C., on or about June 30, 1943; Station WPEN, Philadelphia, Pa., in June 1943, and in December 1944; and from other radio stations during the period of time covered in this complaint, and by other means in commerce as "commerce" is defined in the Federal Trade Commission Act; and respondents have disseminated and caused the dissemination of advertisements concerning their said products by various means, including but not limited to the advertisements and radio continuities referred to above, for the purpose of inducing and which are likely to induce, directly or indirectly, the purchase of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act.

PAR. 5. Among the statements and representations contained in the said advertisements disseminated as aforesaid are the following:

Relating to Medrex Soap, disseminated by means of radio continuities by the individual respondents as copartners in the year 1944:

MEDREX SOAP \* \* \* helps to bring genuine relief from burning, itching and embarrassment of blotchy skin. Mild, medicated MEDREX SOAP is delightful to use—and a big help in bringing back a clear, natural complexion \* \* \* Friends if you're troubled with blotchy, broken-out skin, get a cake of MEDREX SOAP tonight. Use it regularly. See how it may help relieve that externally-caused skin condition.

And how should MEDREX SOAP be used to help relieve externally-caused pimples, blackheads and rashes? It is very simple. You just make a thick

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rich MEDREX SOAP lather. Wash your face thoroughly—allow some of the lather to dry on the face—then rinse with warm water and pat dry with a soft towel. Do it regularly. MEDREX SOAP is a pure, perfectly balanced, soothing soap that helps nature bring back a clear, lovely complexion.

Relating to Medrex Ointment, disseminated by the individual respondents as copartners by means of newspapers prior to January 2, 1946:

**WHY LOOK DISPLEASED?** Get rid of pimples. Do ugly, red, disfiguring pimples, bothersome blackheads, burning eczema, itching skin and other non-systemic externally-caused skin ailments make you look as if you suffered from a really serious complaint? Then, for Heaven's Sake go to your druggist right away and get a jar of MEDREX OINTMENT. \* \* \* MEDREX offers quick relief and promotes beneficial effect by helping nature to clear away these externally-caused blemishes.

**BLACKHEADS, PIMPLES, QUICKLY GO, OR MONEY BACK!**

MEDREX has proved completely effective in clearing up PIMPLES, BLACKHEADS, and all other kinds of externally-caused skin irritations.

Disseminated by the corporate respondent by means of newspapers subsequent to January 2, 1946:

**AWAY GO PIMPLES.**

The instant you put soothing MEDREX OINTMENT on the itching pimples you get action. Relieve the troublesome symptoms of externally-caused pimples with MEDREX OINTMENT. Millions of satisfied users find this famous doctor's prescription eases the itching of pimples—helps nature in healing. The eight tested ingredients of MEDREX OINTMENT guarantee quick relief or your money back. Why suffer? medicate with MEDREX OINTMENT.

Here is a free way to rid yourself of torturous itching pimples, eczema, blotches and blemishes of an external nature. Money refunded if pure MEDREX OINTMENT fails to give you quick relief from symptoms. MEDREX OINTMENT is guaranteed. Skin eruptions must go or money back.

**ONE! TWO! PIMPLES THROUGH.**

A new double action way to find relief from itching pimples, eczema and other skin eruptions of external nature. MEDREX OINTMENT relieves instantly or your money back. Millions find MEDREX OINTMENT the ideal answer to their skin problems.

**BAD SKIN, PIMPLES.**

Here is a new way to help rid yourself of torturous itching pimples, scales, scabies and blemishes of external nature.

Relating to Nulfey Tablets, under Formula No. 1 above, disseminated by newspapers and radio prior to January 2, 1946:

**NULFEY HELPS** clear up the system by acting as a laxative, too. It helps clear away those waste poisons that might be the cause of unbearable neuralgia and muscular pains.

**BACK-BREAKING PAINS.**

If you suffer from the agonizing torture of nagging backaches, rheumatism, arthritis, sciatica, gout, lumbago, or simple neuralgia . . . if you feel so stiff and achy that you can hardly walk, sit or sleep in comfort, don't despair.

Go to your druggist this very minute and buy a box of NULFEY TABLETS. Take 1 or 2 every 3 or 4 hours and the chances are better than good that you will find quick relief. Sold with the ironclad guarantee that they must act beneficially on the particular condition for which they are intended or your money cheerfully refunded. Get NULFEY TABLETS today and get rid of those torturing pains.

**RHEUMATISM—ARTHRITIS—NEURALGIA—MUSCULAR PAINS.**

You are only as old as you feel! So why not do something that will help you regain your youthful vim, pep and vigor. Go to your druggist now and buy a bottle of NULFEY TABLETS that often bring relief in a jiffy to sufferers from rheumatism, arthritis, sciatica, gout, lumbago, muscular aches and pains and simple neuralgia. NULFEY TABLETS are sold with an ironclad guarantee that they must act beneficially on the particular conditions for which they are intended or your money promptly refunded. Get NULFEY TABLETS at your druggist and get relief from agonizing pain.

Disseminated by respondent corporation by means of newspapers subsequent to January 2, 1946, under Formula No. 2 above:

**ACHES—PAINS**

Help rid yourself of torturing pains. Use time-tested NULFEY TABLETS for the relief of muscular aches and pains commonly referred to as rheumatic pains, also headaches, backache and simple neuralgia. Guaranteed quick acting NULFEY TABLETS must relieve promptly or your money back. The new improved NULFEY TABLETS are on sale today.

**HEADACHE**

Are you suffering from the misery of a nervous headache? Why let pain make work all agony and nights a torture? NULFEY TABLETS will often bring you relief in a jiffy. Don't delay—when that warning pain strikes. Get genuine, dependable NULFEY TABLETS today, NULFEY TABLETS, a time-tested, formula, is scientifically prepared and used by thousands of satisfied customers for over 50 years with amazing results. Complete satisfaction or your money back. Use only as directed.

PAR. 6. Through the use of the advertisements containing the statements and representations hereinabove set forth, and others similar thereto not specifically set out herein, respondents have represented, directly and by implication:

That the use of Medrex Soap, is effective in treating and relieving externally caused pimples, blotches, broken out skin, rashes, and blackheads; that it will relieve itching and burning skin and will restore a clear, natural complexion, in cases of blotchy skin.

That the use of Medrex Ointment, as directed, is a cure or remedy and constitutes a competent and effective treatment for, all externally caused skin ailments or conditions including pimples, blackheads, scabies, scales, skin blotches, eczema, skin irritations and eruptions, skin blemishes or similar skin ailments, or conditions and will relieve the itching of skin blemishes and eruptions of external nature.

