

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 258, FOOD AND DRUGS ACT.

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### MISBRANDING OF A DRUG—PRESTON'S HED-AKE. (TRADE-MARK.)

On or about April 14, 1909, The Parker-Blake Company, Ltd., New Orleans, La., shipped from New Orleans, La., to St. Louis, Mo., a consignment of a drug labeled "Preston's Hed-Ake (Trade Mark)." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded The Parker-Blake Company, Ltd., and the dealer from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence on which to base a prosecution. In due course, a criminal information was filed in the United States Circuit Court for the Eastern District of Louisiana charging the above shipment and that the product was misbranded within the meaning of the act, in that the label bore the following statements: "It cures while you wait" "Will prevent headache" "A remedy for any kind of headache;" which statements were false and misleading, in that the product is not a cure for headache, nor is it a remedy for any kind of headache; and is further misbranded, in that the label contained a statement concerning said drug that it is "Perfectly Harmless," which statement was false and misleading, in that the drug contained acetanilid, which rendered it harmful.

On February 16, 1910, the said defendant entered a plea of guilty, and the court imposed upon it a fine of \$10.

This notice is given pursuant to section 4 of the Food and Drugs Act, June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *March 15, 1910.*

