

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 428, FOOD AND DRUGS ACT.

MISBRANDING OF HEADACHE POWDERS.

On or about November 4, 1909, the Pullen-Richardson Chemical Co., a corporation, St. Louis, Mo., shipped from said State of Missouri to the State of Georgia a drug product labeled "Knox's Head-ake Powders." 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 made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said Pullen-Richardson Chemical Co. and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the 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 upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern Division of the Eastern Judicial District of Missouri, charging the above shipment and alleging that the product was misbranded in that it was labeled on the reverse side: "A new remedy and the most certain cure for headaches, neuralgia, la grippe, and for the immediate relief of all pain. Very pleasant to take. Contains neither morphine, chloral, opium, cocaine, antipyrine—contains one-half ounce acetanilid in each ounce," when, as a matter of fact, the powders in question contained more than one-half ounce of acetanilid to the ounce of powders, to wit, practically two-thirds of an ounce, and the label upon said box failed to bear a correct statement of the quantity and proportion of acetanilid contained in said powders, and further that said powders were not safe nor sure nor a most certain cure for headaches, neuralgia, la grippe, and the relief of all pain, as set forth in the label above quoted, which was therefore false and misleading.

On May 2, 1910, the defendant entered a plea of guilty to this information and the court imposed a fine of \$10 and costs.

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

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*