

**6628. Misbranding of Zaegel's Essence and Zaegel's Lung Balsam. U. S.
* * * v. Max R. Zaegel (M. R. Zaegel & Co.). Plea of guilty.
Fine, \$110. (F. & D. No. 8823. I. S. Nos. 11075-m, 11076-m.)**

On July 29, 1918, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Max R. Zaegel, trading as M. R. Zaegel & Co., Sheboygan, Wis., alleging the shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 21 and April 27, 1917, from the State of Wisconsin into the State of Minnesota, of quantities of articles labeled in part, "Zaegel's Essence," and "Zaegel's Lung Balsam," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the "Essence" consisted essentially of alcohol, water, sugar, and material extracted from plant drugs, including a laxative substance and a saponin; and that the "Lung Balsam" consisted essentially of alcohol, water, sugar, and laxative plant material flavored with oil of peppermint.

It was alleged in substance in the information that the essence was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for rheumatism and stomach, liver, bowel, and kidney complaints, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as effective to remove all impurities from the blood and to aid digestion, and as a remedy, treatment, and cure for headaches, diseases of women, and nervousness, and as a remedy for heart trouble, when, in truth and in fact, it was not, and was not a preventive of appendicitis.

It was alleged in substance that the lung balsam was misbranded for the reason that certain statements appearing on the label of the bottles and cartons falsely and fraudulently represented it as effective to remove the cause of irritation and give ease and comfort to the lungs, when, in truth and fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy, treatment, and cure for coughs, lung and throat troubles, and whooping cough, and effective when used in connection with Z. M. O. as a remedy, treatment, and cure for pneumonia, and effective when used in connection with Zaegel's essence, and as a remedy, treatment, and cure for consumption, when, in truth and fact, it was not.

On September 27, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$110.

C. F. MARVIN, *Acting Secretary of Agriculture.*