

6664. **Misbranding of Indian Wyanoke. U. S. * * * v. Albert M. Follett (Park & Russell Co.). Plea of guilty. Fine, \$25 and costs.**
(F. & D. No. 8610. I. S. No. 2829-m.)

On July 27, 1918, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert M. Follett, trading as Park & Russell Co., Concord, N. H., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 11, 1917, from the State of New Hampshire into the State of Massachusetts, of a quantity of an article labeled in part, "Indian Wyanoke," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of chloroform, ammonia, menthol, glycerin, turpentine-like oils, alcohol, and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a remedy for every form of external or internal congestion, soreness, pain, inflammation, injury, or disease, especially of the throat and lungs; acute, chronic, malignant, or diphtheritic sore throat, tonsillitis, swollen glands, coughs, colds, catarrh, croup, consumption, pleurisy, and pneumonia, 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 booklet accompanying the article falsely and fraudulently represented it as a treatment for every form of membranous congestion, including diphtheria, pleurisy, and pneumonia, and as a remedy for all forms of acute, chronic, and diphtheritic sore throat, as a cure for malignant sore throat, as a treatment for incipient consumption, as a remedy for croup, whooping cough, pneumonia, pleuro-pneumonia, lung congestion, lung fever, catarrh, hay fever, deafness, ringing in the ears, sores in the head, sore eyes, granulations and inflammations of the lids, sore nose, tick *doloureux* [*tic douloureux*], rheumatism, rheumatic headache, muscular disorders, stiff neck, lame back, spinal irritability, numbness, incipient or creeping paralysis, and palsy, as a preventive of hydrophobia, and tetanus or lock jaw, as a remedy for hives, Cuban itch, salt rheum, eczema, felons, run-round, whitlow, boils, carbuncles, eruptions, enteritis, peritonitis, appendicitis, baldness, dandruff and falling hair, when, in truth and fact, it was not.

On April 17, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

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