

**5188. Misbranding of "Dr. Harter's Lung Balm." U. S. \* \* \* v. The Dr. Harter Medicine Co., a corporation. Plea of guilty. Fine, \$200.**  
 (F. & D. No. 7545. I. S. No. 7391-h.)

On August 4, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. Harter Medicine Co., a corporation, doing business at Philadelphia, Pa., alleging the sale by said company on or about March 20, 1913, in violation of the Food and Drugs Act, as amended, under a guaranty that the article was not misbranded within the meaning of the said act, of a quantity of "Dr. Harter's Lung Balm," which was a misbranded article within the meaning of the said act, as amended, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof, on or about April 24, 1914, from the State of Pennsylvania into the State of Michigan, in further violation of the said act as amended. The article was labeled in part: "Dr. Harter's Lung Balm \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nonvolatile residue at 100° C. (per cent)_____	61.2
Sucrose by Clerget test (per cent)_____	60.24
Alcohol (per cent by volume)_____	3.65
Antimony by Reinsch test: Indicated.	
Tartrates: Trace indicated.	
Chloroform: Present.	
Cinnamic acid and plant extractive material: Test positive.	
Alkaloidal reaction with Mayer's reagent: Positive.	

It was charged in substance in the information that the article was misbranded for the reason that certain statements on its label falsely and fraudulently represented it as a remedy for lung disorders and affections, and influenza; and for the further reason that certain statements included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a remedy for throat and lung troubles, consumption, chronic cough, lung fever, pneumonia, hoarseness, difficult breathing, pleurisy, and pain or soreness in the chest, and effective for relieving congestion of the lungs, regulating the circulation, and removing all irritation, when, in truth and fact, it was not.

On September 25, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

*CARL VROOMAN, Acting Secretary of Agriculture.*