

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 225, FOOD AND DRUGS ACT.

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### MISBRANDING OF HEADACHE TABLETS.

On or about August 31, 1909, Adam C. Huthwelker shipped from Baltimore, Md., to Philadelphia, Pa., a quantity of so-called Huthwelker's Headache Tablets. A sample procured from the shipment was analyzed in the Bureau of Chemistry of the United States Department of Agriculture. As the findings of the analyst indicated that the drug was misbranded within the meaning of the Food and Drugs Act, the said Adam C. Huthwelker, and the party from whom the sample was procured, were afforded opportunities for hearings; and as it appeared after the hearings held that the above shipment was made in violation of the aforesaid act, the Secretary of Agriculture reported the fact to the Attorney General, together with a statement of the evidence upon which to base a prosecution.

In due course, a criminal information against the above-named shipper was filed in the United States Court for the District of Maryland, charging that the drug shipped as aforesaid was misbranded, in that the label upon the packages containing the same bore the following statement: "A Positive Cure for Every Form of Headache and Neuralgia," which statement was false and misleading, for the reason that the article was not a positive cure for every form of headache and neuralgia; in that said label represented the product as harmless, when, in truth and in fact, it was not so; and, further, in that said label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

On January 29, 1910, the defendant pleaded guilty to the information and was fined \$10.

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., *February 25, 1910.*

