

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 465, FOOD AND DRUGS ACT.

MISBRANDING OF DRUG PRODUCT—"RAMON'S PEPSIN HEADACHE CURE."

On or about January 29, 1909, the Brown Manufacturing Company, a corporation, Greeneville, Tenn., shipped from the State of Tennessee to the State of Michigan a consignment of a drug product labeled "Ramon's Pepsin Headache Cure." 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 thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Brown Manufacturing Company, and the dealer from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that said 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 District of Tennessee against said Brown Manufacturing Company and Henry R. Brown, president of said corporation, charging the above shipment and alleging that the product was misbranded within the meaning of the act, in that the label on the product represented it to contain pepsin as a constituent element, which representation was false and misleading, as pepsin was not present therein in any perceptible quantity; in that said label represented the product to be a "pepsin headache cure," which statement was false and misleading, because it was not a cure, the product wholly lacking the power to effect a cure; in that a slip of paper inclosed with the product represents it to contain pure pepsin and soda combined with acetanilide and caffeine and that one tablet "will ordinarily cure," which statements were false and misleading, the preparation not containing sufficient pure pepsin to effect a cure; in that the preparation contains acetanilide, and the label thereon does not contain a true and correct statement

of the quantity or proportion of acetanilide contained therein, as required by section 8 of the act.

The case coming on for hearing, the United States attorney discontinued as to defendant Henry R. Brown, and thereupon the Brown Manufacturing Company entered a plea of guilty to the information and the court imposed a fine of \$10 and costs of prosecution.

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., *June 25, 1910.*

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