

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 495, FOOD AND DRUGS ACT.

MISBRANDING OF DRUG PRODUCT—"FLAG SALT."

On or about January 25, 1909, the Flag Salt Remedy Co., a corporation, Savannah, N. Y., shipped from the State of New York to the State of Michigan a consignment of a drug product labeled "Flag Salt." 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 Flag Salt Remedy Co. and the dealer from whom the samples were purchased opportunities for hearings. As it appeared after hearings held that the 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 Western District of New York against the said Flag Salt Remedy Co., charging the above shipment and alleging that the product was misbranded within the meaning of the act, in that the label on the boxes containing the product and the circulars packed in said boxes asserted, among other things, that the product positively cures all forms of headache and neuralgia and that it does away with the use of morphine, opium, chloral, anti-pyrine, cocaine, and other injurious drugs, that it contains an "energizing agent," and that acetanilid, the chief ingredient of the product in question, is not an injurious drug, all of which statements were false and misleading and tended to deceive the purchaser.

On May 10, 1910, the defendant entered a plea of guilty and the court suspended sentence.

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.*

