

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1545.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF DR. CALDWELL'S ANTI-PAIN TABLETS.

At the February, 1912, term of the District Court of the United States for the Southern District of New York the grand jurors of the United States within and for said district, after presentation by the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against "John" W. Horter, the said first name "John" being fictitious, the real name being to the grand jurors unknown, but who can be identified, late of the district aforesaid, charging shipment by him, in violation of the Food and Drugs Act, on or about September 8, 1910, from the State of New York into the State of Tennessee, of a consignment of Dr. Caldwell's Anti-Pain Tablets, which was misbranded. The product was labeled: "Dr. Caldwell's Anti-Pain Tablets, for Headache, Neuralgia, all kinds of pains and aches, * * * prepared only by the Dr. Caldwell Medical Company, Main Office and Laboratory, Poughkeepsie, N. Y. * * *".

An analysis by the Bureau of Chemistry of this Department showed the following results: Acetanilid, 51.4 per cent; caffeine, 12.3 per cent; corn starch, 23.2 per cent; camphor, present; average each tablet weighs 0.2455 gram. Misbranding was alleged in the indictment for the reason that the package in which the product was shipped failed to bear a statement on the label as to the quantity or proportion of acetanilid contained therein, whereas in truth and in fact acetanilid was contained in said product in the proportion of about 50 per cent.

On March 18, 1912, the defendant entered a plea of guilty and the court sentenced him to pay a fine of \$200.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 13, 1912.*

