

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2117.

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

MISBRANDING OF DR. PUSHECK'S COLD PUSH TREATMENT NO. 12.

On July 27, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dr. Charles A. Pusheck, Chicago, Ill., alleging shipment by him, in violation of the Food and Drugs Act, on February 15, 1910, from the State of Illinois into the State of Michigan of a quantity of Dr. Pusheck's Cold Push Treatment No. 12 which was misbranded. The product was labeled: "Dr. Pusheck's Treatment No. 12-Cold-Push For all Colds, Cough, Croup, Bronchitis, Catarrh, La Grippe, Sore Throat, Hoarseness and Irritation. For all Fevers and Inflammation, etc. *** Serial No. 1324. Prepared by Dr. C. Pusheck, 192 Washington St., Chicago ***."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: acetanilid (240 grains per apothecaries' ounce), 50.0 per cent; ash, 4.0 per cent. In addition to the above, quinine, starch, camphor, and undetermined matter was present. The above results are on tablets with coating removed. Acetanilid in tablets with the coating 29.77 per cent, or 142 grains per apothecaries' ounce. Misbranding was alleged in the information for the reason that the product bore the label set forth above, which said statement on the label failed to state the quantity of acetanilid contained therein or the proportion by weight of acetanilid contained therein as compared with the total weight of the product. Misbranding was alleged for the further reason that the label failed to state the quantity of acetanilid derivatives contained in the product, or the proportion by weight of acetanilid derivatives contained therein, as compared with the total weight of the product.

On September 28, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50, with costs.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 16, 1912.*