

3718. Misbranding of "Black's Pulmonic Syrup." U. S. v. Wm. F. Black. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 5908. I. S. No. 7116-e.)

On November 4, 1914, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wm. F. Black, Birmingham, Ala., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 28, 1913, from the State of Alabama into the State of Tennessee, of a quantity of an article of drugs called "Black's Pulmonic Syrup," which was misbranded. The product was labeled: "Black's Pulmonic Syrup. Directions. Shake Well. One Teaspoonful before Meals. Guaranteed by W. F. Black, M. D., under the Pure Food & Drug Act, June 30, 1906. Serial No. 48094."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was essentially a hydroalcoholic solution of ichthyol, glycerin, and sugar, containing 15.9 per cent of alcohol.

Misbranding was alleged in the information for the reason that the article contained 15.9 per cent of alcohol, and the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein.

On November 14, 1914, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*