

3742. Misbranding of "Laxative Quinine Tablets." U. S. v. Hollander-Koshland Co. Plea of guilty. Fine, \$10. (F. & D. No. 5982. I. S. No. 2768-e.)

On February 23, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hollander-Koshland Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 17, 1913, from the State of Maryland into the District of Columbia, of a quantity of "Laxative Quinine Tablets," which were misbranded. The product was labeled: "Laxative Quinine Tablets. Relieves a cold in 24 Hours. Guaranteed under the Food and Drugs Act, June 30, 1906. Guaranty No. 2687. An Excellent Remedy for La Grippe, Hay Fever, Neuralgia, Cold in Head and Constipation. Laxative Quinine Tablets act as a gentle laxative. They have no Gripping Effect and Stimulate the Liver to its Normal and Healthy Action. They cure Headache, relieve a Cold in a marvelously short time. They do not affect the Head like Quinine or its Salts. Each Tablet contains 2 grains Acetanilid. Directions.—For Severe Cold or La Grippe, the adult dose is one Tablet to be taken every hour until relieved. Children $\frac{1}{2}$ to 1 Tablet every 3 hours. Distributed by Walter R. Hill, West End Pharmacy, 3269 M Street, N. W. Washington, D. C." The packages of the article contained a circular or pamphlet which bore the following statement: "The True Specific for La Grippe."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed it to contain acetanilid, 1.9 grains per tablet, quinin, caffenin, tannic acid, and a vegetable cathartic drug.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, "An Excellent Remedy for * * * Hay Fever * * *. They cure Headache * * *," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief that it was, in whole or in part, composed of or contained ingredients or medicinal agents effective as a remedy for hay fever and as a cure for headache when in truth and in fact said article was not, in whole or in part, composed of and did not contain ingredients or medicinal agents effective as a remedy for hay fever and as a cure for headache. Misbranding was alleged for the further reason that the following statement regarding the therapeutic or curative effects thereof included in the circular or pamphlet aforesaid, to wit, "The True Specific for La Grippe," was false and fraudulent in that, by means of said circular or pamphlet, it was applied to said article knowingly and in reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief that it was, in whole or in part, composed of or contained ingredients or medicinal agents effective as a specific for la grippe, when in truth and in fact said article was not, in whole or in part, composed of and did not contain ingredients or medicinal agents effective as a specific for la grippe.

On February 23, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

WASHINGTON, D. C., *April 19, 1915.*