

**4424. Misbranding of "Classe's Great Penetrating Liniment." U. S. v. William P. Diggs (W. P. Diggs & Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 6310. I. S. No. 5289-h.)**

On January 19, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Diggs, trading as W. P. Diggs & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 19, 1913, from the State of Missouri into the State of Tennessee, of a quantity of "Classe's Great Penetrating Liniment," which was misbranded. The article was labeled: (On carton) "Classe's Great Penetrating Liniment. Alcohol 68 per cent. Tinct. Opium 10 Min. to Oz. Chloroform 38 Min. to Oz. A Most Wonderful Pain Relieving And Healing Remedy. Prepared only by W. P. Diggs & Co., 113-115 Locust Str., Office and Laboratory. St. Louis. 50 For Horses Relieves Colic, Sore Shoulders, Collar Galls, Sweeny Swellings, Fistula (before broken), Lameness, Cuts from Barb Wire, Sores Scratches, Removes Lumps, and Blotches. It matters not how bad the Sore or Wound, if no Vital Parts are affected, it Relieves Pain quickly. Takes away the Inflammation and is Healing and Soothing to the Flesh. Its use will not take off the hair. Flies and Insects will not trouble a sore, where it has been applied. Price, 50 Cents. (Statements in German) Guaranteed by W. P. Diggs Co. Under the Pure Food and Drugs Act, June 30, 1906. Serial No. 1434. 50 A Valuable Antiseptic To Prevent Blood Poison from Cuts, Sores, Boils, Wounds from Rusty Nails, or Wounds from any cause. Relieves Headache, Toothache, Neuralgia, Bruises, Strains, Swellings, Stiff Joints, Pain in the Side, Back or Breast, Burns, Scalds, Sore Throat, Frosted Feet, Chapped Hands, Roughness of the Skin, Sun Burn. In Rheumatism Gives Relief, Reduces the Swelling. It penetrates the Flesh, leaving no stain or disagreeable odor. Relieves Pain almost instantly without blistering the Skin. Sole Proprietor 'Classe's Remedies.'" (On bottle) "Classe's Great Penetrating Liniment. Alcohol, 68 per cent. Chloroform, 38 minims to oz. Tinct. Opium, 10 minims to oz. A remedy for Headache, Toothache, Neuralgia, Rheumatism, Cuts, Sores, Bruises, Swellings, Burns, Scalds, Stiff Joints, Pain in the Side, Breast or Back, Old Sores, Sore Throat, Frost Bites and Stings from Insects. For Animals:—It will be found a most efficient remedy. See full directions. Prepared only by W. P. Diggs & Co., St. Louis, Mo. (Statement in German) Alcohol, 68 per cent. Chloroform, 38 minims to oz. Tinct. Opium, 10 minims to oz. (Statements in German) W. P. Diggs & Co., St. Louis, Mo." The circular accompanying the article contained, among other things, the following: "One of my neighbors, Mr. J. H. Williams, was suffering from what the doctors said was Tuberculosis of the flesh of the arm and hand. The sore became so enlarged that nearly all the flesh had been taken off. The Doctor who had been treating his case for sometime, told him that it was getting to be serious, and that he must at once go to the Hospital and have his arm amputated as there was no chance of saving it. He came into our store, suffering greatly from pain, and told me what the Doctor had said. I gave him a small bottle of Classe's Liniment and told him to use it, that it might at least allay the pain. He did so, and got such relief that he bought several bottles, determining to give it a trial. A week afterward he sent for 6 or 7 bottles more. After using them, his arm and hand were completely healed. This happened more than a year ago, and the sore has never reappeared." "Used for Sore Throat, Pains in the side or breast, it will be found beneficial. Removes Lumps or Enlargements, Warts, Goitre of the Neck, Body Odor, diseases of the Scalp, or roughness of the Skin. Used internally, it promptly relieves Cholera Morbus,

or pains in the stomach. It will be found not only a good remedy, but the very best remedy for any ailment for which it is recommended." "To have on hand at all times Classe's Penetrating Liniment in the stable is often the means of saving a good horse or mule, especially in cases of Colic, an ailment for which this Liniment seems to be a certain cure. Any number of testimonials have been received from those who have used it in the most severe cases, with prompt results."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

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| Alcohol (per cent by volume)-----        | 64   |
| Chloroform (minims per fluid ounce)----- | 35.3 |
| Ethyl nitrite: Absent.                   |      |

An alcoholic solution of ammonia, chloroform, opium, camphor, oil of sassafras, oil of origanum, and a thujone-containing oil such as thuja.

Misbranding of the article 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, (On carton) "Classe's Great Penetrating Liniment. \* \* \* To prevent Blood Poison from \* \* \* Wounds from Rusty Nails, or Wounds from any cause. \* \* \*" (On bottle) "\* \* \* A remedy for \* \* \* Rheumatism \* \* \*," and included in the circular aforesaid, to wit, "One of my neighbors, Mr. J. H. Williams, was suffering from what the doctors said was Tuberculosis of the flesh of the arm and hand. The sore became so enlarged that nearly all the flesh had been taken off. The Doctor who had been treating his case for some time, told him it was getting to be serious, and that he must at once go to the Hospital and have his arm amputated as there was no chance of saving it. \* \* \* I gave him a small bottle of Classe's Liniment and told him to use it. \* \* \* He did so, and got such relief that he bought several bottles, determining to give it a trial. A week afterward he sent for 6 or 7 bottles more. After using them, his arm and hand were completely healed. This happened more than a year ago, and the sore has never reappeared," "\* \* \* Removes \* \* \* Goitre of the neck \* \* \*," "To have on hand at all times Classe's Penetrating Liniment in the stable is often the means of saving a good horse or mule, especially in cases of Colic, an ailment for which this Liniment seems to be a certain cure \* \* \*," were false and fraudulent in that the same were applied to the 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, among other things, as a remedy for rheumatism, to prevent blood poison from wounds from rusty nails, to prevent blood poison from wounds from any cause, as a remedy for tubercular sores, to remove goiter of the neck, and as a certain cure for colic in horses and mules, when, in truth and in fact, it was not so composed and did not contain such ingredients or medicinal agents.

On February 18, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*