

U. S. DEPARTMENT OF AGRICULTURE.

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 4551-4600.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 23, 1917.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4551. Misbranding of "Hayssen's Sure Goitre Cure Balsam" and "Hayssen's Sure Goitre Cure Ointment." U. S. * * * v. Minnie D. Hayssen, trading as H. H. Hayssen Co. Plea of guilty. Fine, \$25. (F. & D. No. 6800. I. S. Nos. 7268-h, 7269-h.)

On November 16, 1915, the United States attorney for the Southern 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 Minnie D. Hayssen, trading as H. H. Hayssen Co., Chunchula, Ala., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 23, 1914, from the State of Alabama into the State of Minnesota, of quantities of "Hayssen's Sure Goitre Cure Balsam" and "Hayssen's Sure Goitre Cure Ointment," which were misbranded.

The balsam was labeled: (On bottle) "Hayssen's Sure Goitre Cure Balsam Trade Mark For the permanent cure of obstinate cases of Goitre or Bronchocele, (Thick or Swelled Neck.) Ten Per Cent Alcohol. To be taken internally in connection with Hayssen's Sure Goitre Cure Ointment. Directions—Take a teaspoonful twice daily—morning and evening. Children in proportion to age. Mix with a little good whiskey if unpleasant to take. Hayssen's Kropf Balsam" (Directions in German.) "General Guarantee No. 7129. Guaranteed under Food and Drugs Act June 30, 1906 Eastern Sales Dept. Seneca Falls, N. Y. Prepared by The Henry H. Hayssen Co. Chunchula, Ala." (On carton) "Hayssen's Sure Goitre Cure. Trade Mark. Alcohol 10 Per Cent. Balsam for Extremely Obstinate Cases of Goitre (Thick or Swelled Neck.) To be taken internally in connection with the use of Sure-Goitre-Cure Ointment. The use of this Balsam will only be required in the most stubborn cases, and is only recommended if, after a two or three weeks' application of the S.-G.-C. Ointment, material relief is not obtained. (Gen'l Guarantee No. 7129 Guaranteed under Food and Drugs Act June 30, 1906 Price, \$1.00. The

Henry H. Hayssen Co. Chunchula, Ala. Eastern Salesroom, Seneca Falls, N. Y. Directions for use. Take a teaspoonful twice daily—morning and evening. If any disagreeableness is experienced take less to suit. If unpleasant to take mix with a little good whiskey." The circular or pamphlet accompanying this article contained, among other things, the following: "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre." "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an ointment of fragrant odor." "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure-Balsam, which is taken internally."

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

Non-volatile residue at 100° C. (per cent)-----	56.5
Alcohol (per cent by volume)-----	11.5
Ash (per cent)-----	8.81
Sucrose (per cent)-----	49.4
Potassium iodid, by distillation (per cent)-----	5.41
Alkaloids: None found.	

Iron salts and sulphate: Present.

Product is a hydroalcoholic solution comprised chiefly of sugar and potassium iodid.

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 bottle) "Hayssen's Sure Goitre Cure Balsam. For the permanent cure of obstinate cases of Goitre or Bronchocele, (Thick or Swelled Neck.)" (On carton) "Hayssen's Sure Goitre Cure Balsam for Extremely Obstinate Cases of Goitre (Thick or Swelled Neck.) To be taken internally in connection with the use of Sure-Goitre-Cure Ointment." (Same statements in German), and included in the circular or pamphlet aforesaid, to wit, "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre," "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an Ointment of fragrant odor," "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure-Balsam, which is taken internally," were false and fraudulent in that they 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, for the permanent cure of all obstinate cases of goiter, or bronchocele (thick or swelled neck), and, when used in connection with Hayssen's Sure Goitre Cure Ointment, as a sure cure for all extremely obstinate cases of goiter (thick or swelled neck), as a cure for all cases of goiter or bronchocele (thick or swelled neck), and, when used in connection with Dr. Hayssen's Sure Goitre Cure Ointment, as a sure and unfailing cure for all extremely difficult cases of goiter, and effective, when used in connection with Dr. Hayssen's Sure Goitre Cure Ointment, as a cure for all cases of goiter, when, in truth and in fact, it was not so composed, and did not contain such ingredients or medicinal agents.

The ointment was labeled: (On jar) "Directions for Using Hayssen's Sure-Goitre-Cure-Ointment.—Apply twice daily, morning and evening, rubbing it in well with bare hand downwards. Wash twice weekly, or oftener, with Castile soap and warm water. In extreme stubborn cases take Hayssen's 'Sure-Goitre-Cure Balsam' in connection with the use of the Ointment, and wear a

silk cloth tied evenly over swelling as tight as convenient. Note.—If the anointing is done by another party the effect will, as a rule, be more powerful. The H. H. Hayssen Co., Patentees and Sole Proprietors, Chunchula, Ala. General Guaranty No. 7129. Guaranteed under Food and Drugs Act, June 30, 1906. Eastern Sales Depot Seneca Falls, N. Y. Sure-Goitre-Cure (Trade Mark)" (Picture of woman showing goiter.) (On carton) "Hayssen's Sure-Goitre-Cure Ointment Hayssen's Su-Gôit-Cu R E Trade Mark In actual use since 1889. The Henry H. Hayssen Co. Patentees and Sole Proprietors Chunchula, Ala. Eastern Salesroom, Seneca Falls, N. Y. Hayssen's Sure Goitre Cure Trade Mark. Gen'l Guarantee No. 7129 Guaranteed under Food and Drugs Act, June 30, '06 Hayssen's Sure-Goitre-Cure Ointment An unfailing, non-staining and painless remedy for Goitre (thick or swelled neck) in all its various forms and kindred fatty tumors. Most astonishing cures, even in cases pronounced incurable by eminent physicians. Price \$1.50 The Henry H. Hayssen Co. Patentees and Sole Proprietors Chunchula, Ala., U. S. A. Directions Apply twice daily, morning and evening, rubbing it in well with bare hand, mainly downwards. Wash twice or thrice weekly with Castile Soap and warm water, applying Ointment again immediately after washing. In extreme stubborn cases, take Hayssen's Sure Goitre Cure Balsam in connection with the use of Sure-Goitre-Cure Ointment and wear a silk handkerchief tied tightly over tumor." (Directions also in German.) The circular or pamphlet accompanying the article contained among other things the following: "Dr. Hayssen's Sure-Goitre-Cure Never Fails." "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre." "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an Ointment of fragrant odor." "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's Sure-Goitre-Cure Balsam, which is taken internally."

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

Non-volatile residue at 100° C. (per cent)-----	89.2
Potassium iodid calculated from iodin, by distillation (per cent)-----	10.7
Ash (per cent)-----	11.3

Petrolatum: Present.

Perfume: Present.

Test for alkaloids: Negative.

Product is an ointment composed chiefly of petrolatum and potassium iodid.

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 jar) "Sure-Goitre-Cure." (On carton) "Hayssen's Sure-Goitre-Cure-Ointment An unfailing * * * remedy for Goitre (thick or swelled neck) in all its various forms, and kindred fatty tumors. Most astonishing cures, even in cases pronounced incurable by eminent physicians. * * * In extreme stubborn cases, take Hayssen's Sure-Goitre-Cure Balsam in connection with the use of Sure-Goitre-Cure Ointment." (Same statements in German), and included in the circular or pamphlet aforesaid, to wit, "Dr. Hayssen's Sure Goitre Cure Never Fails." "After years of patient toil, and undaunted by many failures, Dr. H. H. Hayssen discovered a sure and unfailing cure for Goitre," "Dr. Hayssen's Sure-Goitre-Cure is put up in the form of an ointment of fragrant odor," "In extremely difficult cases, in addition to the Ointment, the patient will need Dr. Hayssen's

Sure-Goitre-Cure Balsam, which is taken internally," were false and fraudulent in that they 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 sure and unfailing cure for goiter, as an unfailing remedy for goiter (thick or swelled neck) in all its various forms and for kindred fatty tumors, and effective, when used in connection with Dr. Hayssen's Sure Goitre Cure Balsam, as a cure for extremely stubborn or difficult cases of goiter (thick or swelled neck), and when so used as a cure for all cases of goiter, when, in truth and in fact, it was not, in whole or in part, so composed, and did not contain such ingredients or medicinal agents.

On January 15, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*