

4999. Misbranding of "Lee's Save the Baby Croup Specific" and "Lee's Croup Mixture." U. S. \* \* \* v. Charles Samuel Ulcher and Carrie L. Ulcher. (William W. Lee & Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 6587. I. S. Nos. 8068-e, 25552-h.)

On February 24, 1916, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles Samuel Ulcher and Carrie L. Ulcher, trading as William W. Lee & Co., Troy, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended:

(1) On or about April 3, 1913, from the State of New York into the State of Massachusetts, of a quantity of an article labeled, in part, "Lee's Save the Baby Croup Specific," which was misbranded.

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

Alcohol (per cent by volume)-----	4.6
Volatile oils (per 100 cc)-----	28.5
Fixed fatty oils (per cent)-----	64.7
Oil of rosemary: Present.	
Oil of thyme: Present.	
Camphor: Present.	

The sample is a liniment of camphor, rosemary, and thyme, with a fatty oil base.

It was alleged in substance in the information that the article was misbranded for the reason that the statements appearing on its label and included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a specific for croup, and for saving the lives of babies affected by that disease, as a safe and sure remedy for the croup and all bronchial affections, and as a remedy for inflammation of the lungs, when, in truth and in fact, it was not.

(2) On or about August 17, 1914, from the State of New York into the State of Massachusetts, of a quantity of an article labeled, in part, "Lee's Croup Mixture," which was misbranded.

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

Fixed fatty oil (lard) (per cent)-----	70.11
Volatile oils-----	18.81
Alcohol-----	7.15

The volatile oils consist of a mixture of oil of rosemary, a thymol containing oil such as oil of thyme, and camphor,

It was alleged in substance in the information that the article was misbranded for the reason that the statements included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a remedy for croup and for saving the lives of babies affected by that disease, when, in truth and in fact, it was not.

On October 27, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*