

**5270. Misbranding of "Great Magic Condition Powders." U. S. \* \* \* v. Samuel Sutton. Plea of guilty. Fine, \$25. (F. & D. No. 7690. I. S. No. 4507-1.)**

On January 31, 1916, 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 Samuel Sutton, Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 13, 1916, from the State of Maryland into the State of Pennsylvania, of a quantity of an article labeled in part, "Great Magic Condition Powders." which was misbranded

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the powders consisted essentially of potassium nitrate, calcium carbonate, sulphur, rosin, fenugreek, ginger, capsicum, charcoal, and gentian.

It was charged in substance in the information that the article was misbranded for the reason that certain statements included in the circular or pamphlet accompanying the article falsely and fraudulently represented it as effective for reducing fevers associated with shipping colds, as a remedy for blood poison, distemper, pinkeye, coughs, colds, sore throat, bronchitis, epizootic influenza, itching, rheumatism, founder, inflammation of the kidneys, bladder, and bowels, and congested lungs, as a relief for colic, and in the treatment of azoturia, when, in truth and in fact, it was not.

On January 31, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

R. A. PEARSON, *Acting Secretary of Agriculture.*