

5898. Misbranding of "M. I. S. T. No. 2, Nerve Tonic." U. S. * * * v. M. I. S. T. Co., a corporation. Plea of nolo contendere. Fine, \$25 and costs (F. & D. No. 6841. I. S. No. 7390-h.)

On April 4, 1916, the United States attorney for the Northern District of Ohio, 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 M. I. S. T. Co., a corporation, Toledo, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 29, 1914, from the State of Ohio into the State of Michigan, of a quantity of an article labeled in part, "M. I. S. T. No. 2 Nerve Tonic," which was misbranded.

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

Total ash (per cent)-----	6.84
Water insoluble ash (per cent)-----	2.31
Methyl salicylate: Present.	
Emodin: Present.	
Aloes: Positive.	
Glycyrrhizin: Positive.	
Alkaloids: None found.	
Chlorids: Present.	
Mercury as mercurous chlorid (per cent)-----	8.12
Reinsch test for arsenic: Negative.	

Sample is a capsule consisting essentially of aloes, licorice, and other plant material, methyl salicylate, mercurous chlorid, and inorganic matter.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for dropsy, gout, rheumatism, scrofula, erysipelas, cancer, inflammation of the bladder, and varicocele, for all nervous disorders and impotency, and, in fact, for every disease of the nervous system, and as a cure for all nervous disorders, impotency, and, in fact, for every disease of the nervous system, when, in truth and in fact, it was not.

On November 28, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*