

**4375. Misbranding of "Armstrong's Croup Ointment." U. S. \* \* \* v. Harold G. Carpenter, et al. (Carpenter & Pierce Co.). Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 6035. I. S. No. 4541-e.)**

On October 18, 1915, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harold C. Carpenter and Herman J. Pierce, copartners, trading as Carpenter & Pierce Co., Troy, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about January 7, 1913, from the State of Pennsylvania into the State of Missouri, of a quantity of "Armstrong's Croup Ointment," which was misbranded. The article was labeled: (On carton) "Armstrong's Croup Ointment A Positive Remedy for the Cure of Croup. Manufactured by Carpenter & Pierce Troy, Pennsylvania. Price 50 cents. This Ointment is guaranteed to relieve croup in ten to twenty minutes if used as directed. Armstrong's Croup Ointment is a specific remedy for Catarrh, Asthma, Cold in the Head, Throat or Lungs. None genuine without this signature Carpenter & Pierce To imitate which is forgery This Ointment is sold on a positive guarantee; if satisfaction is not given the price will be refunded. 'Aco' Guaranteed by Carpenter & Pierce under the Food and Drugs Act, of June 30th, 1906. Serial No. 4583." (On jar) "Armstrong's Croup Ointment A specific Remedy for the Cure of Croup, Catarrh, Asthma, or Cold in the Head, Throat or Lungs Carpenter & Pierce, Troy, Penn'a. Price, 50 cents. Directions. For Croup, apply over the throat and chest, covering with heated flannel, repeating every 15 or 20 minutes if necessary. In extreme cases a little may be melted in a teaspoon and given internally. Directions: As a Remedy for Catarrh or Cold in the Head is unequalled. Apply lightly to forehead and nose. For Colds, Asthma, or any Congested condition of Throat or Lungs, apply same as for Croup." The circular or pamphlet accompanying the article contained, among other things, the following statement: "This Ointment is guaranteed to cure Croup \* \* \*."

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

Nonvolatile residue (per cent)-----	91.29
Unsaponifiable fat (per cent)-----	87.83
Ash: None.	
Eucalyptus oil: Present.	
Traces of other oils, possibly cassia oil and thyme oil.	

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) "A Positive Remedy for the Cure of Croup. Is a specific remedy for Catarrh, Asthma, Cold in the Head, Throat or Lungs." (On jar) "A specific Remedy for the Cure of Croup, Catarrh, Asthma, or Cold in the Head, Throat or Lungs," and included in the circular or pamphlet aforesaid, to wit, "This Ointment is guaranteed to cure Croup," were false and fraudulent in that the same were applied to said 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 catarrh, asthma, cold in the head, throat, or lungs, and as a cure for croup, catarrh, asthma, or cold in the head, throat, or lungs, 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 October 18, 1915, a plea of nolo contendere was entered on behalf of the defendants, and the court imposed a fine of \$10 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**4376. Misbranding of "Anticephalalgine." U. S. \* \* \* v. James I. Johnson, a corporation. Plea of guilty. Judgment suspended on payment of costs. (F. & D. No. 6036. I. S. No. 9696-e.)**

On April 5, 1915, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James I. Johnson, a corporation, Raleigh, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 17, 1913, from the State of North Carolina into the State of Maryland, of a quantity of "Anticephalalgine" which was misbranded. The article was labeled: (On bottle) "Anticephalalgine. The Great Headache and Neuralgia Remedy. This Preparation Relieves Quickly and Safely Neuralgia and Headache in all its forms. Contains 30 per cent Alcohol and 4 Grains Acetanilid to 1 Ounce. Directions for use: Dose—for adults, one tablespoonful in wineglass of water; for children 12 to 15 years old, two teaspoonfuls; over 5 years old, one teaspoonful. For ordinary attacks of headache, take one dose, and if not relieved in 30 minutes repeat the dose. For Migraine or Sick Headache, Nervous Headache, or sudden and acute attacks of Headache or Neuralgia, take 3 doses at intervals of one hour each, unless sooner relieved. For persistent headache, take a dose every 4 hours. Shake Well Before Using. Manufactured only by Jas. I. Johnson, Raleigh, N. C. Successor to Lee, Johnson & Co." (Blown in bottle) "Anticephalalgine. The Great Headache Cure." (On small carton) "Guaranteed by Jas. I. Johnson under the Pure Food and Drugs Act, June 30, 1906. Serial No. 2859. Anticephalalgine (Anti-cephalalgine). Not over 30 per cent Alcohol 4 Grs. Acetanilid to 1 Oz. The Great Headache and Neuralgia Remedy. This Scientific and Elegant Pharmaceutical Preparation will quickly and safely relieve Headache in all its forms. A trial only is sufficient to prove its Superiority over all other remedies. The formula is original and has met the approbation of many of our most Eminent Physicians, who prescribe it daily. Try a bottle and be convinced of its merits. Manufactured only by Jas. I. Johnson, Raleigh, N. C. (Trade-Mark Registered) Price, 50 Cents. (Testimonials) \* \* \* This is a harmless, safe, and very Efficient remedy for the relief of all kinds of Headache, such as Neuralgic, Periodic or Headaches peculiar to women, Migraine or Sick Headache, Headaches caused by rush of blood to the head, and derangements of the Stomach, over-indulgence in the use of Spirituous Liquors, Tobacco, Etc., Worry, Mental or Physical Fatigue, Anxiety, Grief, Etc. Anticephalalgine acts quickly and safely in exerting its influence in the above mentioned complaints without causing any unpleasant after effects. It is not a Cathartic. Manufactured only by Jas. I. Johnson, Raleigh, N. C. Anticephalalgine Contains No Morphine, No Chloral, No Cocaine, No Opiates or any other Unsafe Drug and May be taken with the assurance of no injurious effect, if used according to directions, for the relief of all diseases for which it is recommended. Jas. I. Johnson, Proprietor, Raleigh, N. C." (On large carton) "One Dozen 50 Cent Size. Anticephalalgine (Anti-cephalalgine). The Great Headache and Neuralgia Remedy. Manufactured only by Jas. I. Johnson, Raleigh, N. C." The circular or pamphlet accompanying the article contained, among other things, the following: "The Great Headache and Neuralgia Remedy Cures Quickly and Safely Headache in all its Various Forms \* \* \* It will Cure Neuralgia, Migraine or Sick Headache, Periodic Headaches of Women, and Headaches caused by excessive indulgence in Spirituous Liquors, Tobacco, etc. \* \* \* All kinds of headaches are quickly cured by Anticephalalgine without any unpleasant after effects."