

4995. Misbranding of "Dr. Fred Palmer's Skin Whitener." U. S. * * * v. Jacobs' Pharmacy Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6509. I. S. No. 8206-e.)

On December 30, 1915, the United States attorney for the Northern District of Georgia, 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 Jacobs' Pharmacy Co., a corporation, Atlanta, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 7, 1913, from the State of Georgia into the State of Tennessee, of a quantity of an article labeled, in part, "Dr. Fred Palmer's Skin Whitener," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained 7.85 per cent of mercury (present in the mercuric condition and insoluble in water), and a fatty base, and was perfumed with an oil the odor of which suggested bergamot.

Misbranding of the article was alleged in the information for the reason that the statement on its label, to wit, "Guaranteed Absolutely Harmless," was false and misleading in that it indicated to purchasers thereof that it did not contain any poisonous or deleterious ingredient which might render the same dangerous or harmful when used or administered as directed on the label of the box, when, in truth and in fact, said article did contain a poisonous and deleterious ingredient, to wit, 7.85 per cent mercury calculated as ammoniated mercury, which might render said article dangerous or harmful when used or administered as directed. It was further charged in substance that the article was misbranded for the reason that the statements on its label falsely and fraudulently represented it as a remedy for all forms of eczema and skin eruptions, when, in truth and in fact, it was not.

On October 31, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*