

**RESULTS OF INVESTIGATION:** The tablets contained in the envelopes were received in bulk and were repackaged and relabeled by the consignee. The above-mentioned circulars were printed by the consignee and were displayed on the counter in the consignee's store. In addition, the consignee had on display the following: a sign painted on outside of store building reading as follows: "Try Fisher's Gas-Gon for Quick Relief of Gas Pains Excess Acid and Ulcerated Stomach Satisfaction Guaranteed"; a streamer in the store window reading as follows: "Gas-Gon for ulcerated stomach due to gas & acid \$2.89"; and a sign in the store over the prescription room reading as follows: "Why Suffer? Fisher's Gas-Gon 'Gone is Gas and Stomach Acid' Try This New Amazingly Fast Relief for Gas, Hyperacidity Pain due to Ulcers, Indigestion Sour Stomach and Similar Disturbances Satisfaction Guaranteed."

**LABEL, IN PART:** (Bottle and envelope). "Fisher's Gas-Gon Tablets Bisected Each tablet contains Dried Aluminum Hydroxide Gel Magnesium Hydrate Oil of Peppermint For the relief of hyperacidity and accompanying stomach discomforts."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the above-mentioned circulars, signs, and window streamer were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for stomach ulcers and similar disturbances, whereas the article was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 16, 1954. Jacob S. Fisher, doing business as Fisher's Cut Rate Drugs and the Gas-Gon Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

**4496. Misbranding of Hocking's Formula capsules and Hocking's Liquid. U. S. v. Hocking Drug Co., Inc. Plea of nolo contendere. Fine, \$26. (F. D. C. No. 35577. Sample Nos. 69330-L, 76048-L, 76049-L.)**

**INFORMATION FILED:** June 14, 1954, Eastern District of Washington, against Hocking Drug Co., Inc., Spokane, Wash.

**ALLEGED SHIPMENT:** On or about May 15 and July 6, 1953, from the State of Washington into the States of Colorado and Oregon.

**PRODUCT:** Analysis showed that the *Hocking's Formula capsules* contained acetanilid and aspirin and that the *Hocking's Liquid* contained sodium bromide, potassium iodide, sodium salicylate, and alcohol.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the accompanying labeling of the articles namely, a leaflet entitled "Hocking Rheumatic Remedy For All Forms of Rheumatism" were false and misleading. The statements represented and suggested that the liquid and the capsules would be an adequate and effective treatment for rheumatism in all its forms, gout, arthritis, neuritis, sciatica, and lumbago, whereas the articles would not be an adequate and effective treatment for such conditions.

**DISPOSITION:** September 7, 1954. The defendant having entered a plea of nolo contendere, the court fined it \$26.