

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 418, FOOD AND DRUGS ACT.

MISBRANDING OF A DRUG—"FALCK'S ONE-MINUTE HEADACHE CURE."

On or about January 25, 1909, Will H. Carslake, trading as the John A. Falck Company, Bordentown, N. J., shipped from the State of New Jersey to the District of Columbia a quantity of a drug labeled "Falck's One-Minute Headache Cure," and on June 2, 1909, he made a similar shipment from said State of New Jersey to the State of Pennsylvania. Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said Will H. Carslake and the parties from whom the samples were procured were afforded opportunities for hearing. As it appeared after hearings held that the shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course two criminal informations were filed in the District Court of the United States for the District of New Jersey, one for each of the above shipments, charging the same, and that the product was misbranded within the meaning of the act, in that the packages containing said product failed to bear a statement on the label thereon of the quantity or proportion of acetanilid contained therein. On October 11, 1909, the defendant entered a plea of non vult to the above informations, and the court suspended sentence in both cases.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*