

Issued July 20, 1911.

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

---

### NOTICE OF JUDGMENT NO. 987, FOOD AND DRUGS ACT.

---

#### MISBRANDING OF A DRUG PRODUCT—"HAARLEM OIL CAPSULES."

On or about November 15, 1909, The Holland Medicine Co., Scranton, Pa., shipped from the State of Pennsylvania into the State of New Jersey a quantity of a drug product labeled as follows: "Gold Medal Genuine Tilly Haarlem Oil Capsules, For kidney, liver and bladder. Holland Medicine Co. Scranton, Pa. Guaranteed under the Food and Drugs Act, June 30, 1906, Serial No. 16466. The oldest, the surest kidney, liver and bladder remedy. Gold Medal Genuine Tilly Haarlem Oil used for over 200 years." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to consist of alcoholic insoluble matter, nonvolatile material, sulphur, volatile oil, methyl salicylate, and oil of amber. As the above analysis and report thereon showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Holland Medicine Co. and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipment was 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 a criminal information was filed in the District Court of the United States for the Middle District of Pennsylvania against the Holland Medicine Co., Inc., charging the above shipment and alleging that the product so shipped was misbranded in the following particulars, to wit:

(1) The statement on said label "Genuine Haarlem Oil Capsules" is misleading and deceptive as it conveys the impression that the

capsules are composed of pure Haarlem oil, whereas the analysis shows that methyl salicylate, which is not a normal ingredient of Haarlem oil, is present therein.

(2) The statement "The oldest and surest kidney, liver and bladder remedy" is misleading and deceptive because it represents that the preparation is unfailing in its remedial action in diseases of the kidney, liver, and bladder, whereas the said preparation does not possess the remedial value claimed for it.

(3) The statement "The greatest remedy ever known for kidney, bladder, stomach, liver, gravel, internal inflammation and skin diseases" is misleading as it conveys the impression that this preparation has therapeutic value in the treatment of the diseases mentioned, whereas it has no therapeutic value in such cases.

(4) The statement in the circular accompanying the package "Gold Medal Haarlem Oil has been the recognized remedy for diseases of the kidneys, liver, bladder and genital organs the world over for 200 years" is false and misleading because said statement conveys the impression that this preparation is a standard remedy for the diseases enumerated, whereas the preparation analyzed does not justify the above claim being made for it.

(5) The statement on said circular "The operation of this remedy is direct and certain" is misleading and deceptive because it is in effect a claim that the preparation acts directly upon the organs named and is unfailing in its remedial action in the diseases mentioned, whereas said preparation does not justify the claims made for it in this statement.

(6) The statement "For gravel or stone in the bladder take one capsule until better, then every other day until cured. They will greatly expel the gravel without inconvenience or pain and prevent its reformation," is false, misleading, and deceptive, as said preparation does not possess properties capable of producing the results claimed for it in this statement.

(7) The statement "For palpitation of the heart immediate relief may be obtained by inhaling the odor from a broken capsule" is misleading and deceptive as it conveys the impression that this preparation is valuable in this affection of the heart, whereas said preparation possesses no medicinal value in the treatment of the affection of the heart mentioned.

(8) The statement "In the treatment of bladder troubles and complications originated in the prostatic and urinary tracts \* \* \* it seems to be a specific" is false and misleading as it indicates that said preparation is a certain cure for bladder troubles and complications having their origin in the prostatic and urinary tracts, whereas said preparation does not possess the remedial value claimed for it in this statement.

On March 23, 1911, the defendant entered a plea of nolo contendere to the above information, whereupon the court imposed a fine of \$10 and costs.

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., *June 24, 1911.*

987

