

Issued August 15, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1019.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF DR. MOFFETT'S TEETHINA.

On January 31, 1911, the United States Attorney for the Eastern District of Missouri, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States against T. N. Flourney, St. Louis, Mo., doing business under the name of C. J. Moffett Medicine Co., charging shipment by him, in violation of the Food and Drugs Act, on or about October 25, 1909, from the State of Missouri into the State of Tennessee, of a package or carton containing a dozen boxes of the product called "Dr. Moffett's Teethina," which was misbranded. The labels and brands on the package or carton containing said product and the circulars enclosed therewith represented that the product "aids digestion, heals eruptions and sores, will stop and prevent the tendency to colic," and that "Teethina has saved the lives of thousands of children in the Doctor's native state where physicians prescribe it and all mothers give it," and that "Teethina's speedy removal of sores and eruptions upon the skin have been remarkable." The labels further represented that there is "nothing like it to remove and prevent the accumulation of worms in children;" that it is "an effectual remedy for cholera-infantum, diarrhoea, dysentery, cholera-morbus, colic, thrush, hives, eruptions and sores on the skin;" and that it "strengthens the child and makes teething easy."

Analysis by the Bureau of Chemistry showed the product to be a powder consisting essentially of opium, calomel, calcium carbonate, and powdered cinnamon. Misbranding was therefore charged for the reason that the labels on the packages bore statements regarding the ingredients or the substances therein which statements were false and misleading and calculated to deceive the purchaser by reason of the facts that the product did not possess power to aid digestion; nor sufficient medicinal value to heal eruptions and sores; nor the power

to prevent the tendency to colic; nor could it speedily remove sores and eruptions upon the skin; nor was the statement that the product had saved the lives of thousands of children true; nor was the article an efficient remedy to remove and prevent the accumulation of worms in children; nor an effectual remedy for cholera-infantum, diarrhœa, dysentery, cholera-morbus, colic, thrush, hives, eruptions and sores on the skin; nor did it possess such powers and properties as will strengthen the child and make teething easy.

On April 14, 1911, the defendant pleaded guilty, and was fined \$10 and costs, which he paid.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *July 5, 1911.*

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