

Issued May 22, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1464.

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

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### MISBRANDING OF "DENTON'S HEALING BALSAM."

On May 4, 1911, the United States Attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of so-called "Denton's Healing Balsam" in the original unbroken packages and in the possession of the Michigan Drug Co., a corporation, 26-38 Congress Street, East, Detroit, Mich., alleging that the product had been shipped on or about March 10, 1911, by Hall & Ruckel, New York, N. Y., and transported from the State of New York into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act. Each bottle in the consignment of 3 dozen packages was labeled: "B. Denton's Vegetable healing balsam, will cure coughs and colds, heals the lungs, inflammation on the lungs; will cure the phthisic, Lamé back, Gravel and Kidney complaints, pains in the side, stomach or breast, Ague, in the face or breast, nervous complaints, Palpitation of the heart, dyspepsia and Liver Complaints. It will cure flesh wounds, burns, Chilblains and bruises on man or beast; it will cure sore mouths, sore throats, whooping cough, croups, a sure cure for piles. It will cure neuralgia. It prevents contagious diseases, it cures heaves, coughs and colds in horses." The circular which enveloped each of the bottles, in addition to what appeared on the label aforesaid, contained the following: "Denton's Balsam \* \* \* will cure bleeding of the lungs \* \* \* and asthma, \* \* \* nervousness, \* \* \* cures all sores, soreness in the flesh, burns and bruises on man or beast. Cures summer complaint. \* \* \* Cures loss of appetite, \* \* \* There is a certain remedy for those dreadful enemies to mankind and that remedy is Denton's Vegetable Healing Balsam. The wonderful effect renders it the most

desirable remedy ever yet discovered for diseases mentioned on the label."

Examination by the Bureau of Chemistry of this Department showed the following results: Non volatile residue, 70 per cent; refractive index, (19°) 1.525; refractive index of distillate, 1.471; contains rosin; the product appears to be Canada balsam. Misbranding was therefore alleged in the libel for the reason that the statements on the label, appearing on the circular wrapped around each of the bottles and also appearing on each of the bottles, was deceptive and misleading to the purchaser, and for the further reason that the product was Canada balsam and not a cure for the affections claimed it would cure.

On October 11, 1911, no appearance having been entered by any one claiming an interest in the product, default judgment of condemnation was entered and it was further decreed that the product should be destroyed by the United States marshal.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 16, 1912.*

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