

4412. Misbranding of "Minard's Liniment." U. S. v. Minard's Liniment Mfg. Co., a corporation. Plea of nolo contendere. Fine, \$50.
(F. & D. No. 6230. I. S. No. 11807-e.)

On August 5, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Minard's Liniment Manufacturing Co., a corporation, South Framingham, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 14, 1913, from the State of Massachusetts into the State of Maryland, of a quantity of "Minard's Liniment," which was misbranded. The article was labeled: (On carton) "Minard's Liniment The (representation of king) of Pain (Trade Mark Registered) The Great Internal and External Remedy for Man and Beast Price 50 Cents Manufactured by Minard's Liniment Manufacturing Co. So. Framingham, Mass. U. S. A." (On back of carton) "Feet and Hands Crippled with Rheumatism, I could not Walk for Six months, and Went to Hospital after Hospital, but Could Get No Relief until Cured by Minard's King of Pain Liniment Four years ago I was taken with rheumatism, and for three years I could not do any work at all. But for the last year, since using Minard's Liniment, I am able to do all my housework. I think that I know the worth of Minard's Liniment better than any person who has ever suffered with rheumatism. Hundreds of people who know of my suffering give Minard's Liniment the praise. I wish that every one knew the worth of this Liniment as I do. Yours truly, Mrs. Emma B. Williams, 62 Sawyer St., Boston Take no Substitute We guarantee to refund the purchase price, if Minard's Liniment does not give satisfaction. Sold Everywhere Price, Large Size 50c., Small, 25c. Manufactured only by Minard's Liniment Mfg. Co. South Framingham, Mass. U. S. A." (On sides of carton) "With Muscular Rheumatism I suffered to the Extent that Even to Control the Pen Held in My Right Hand Was Impossible at times—On One Such Day I First Used Minard's King of Pain Liniment And no indorsement of Minard's Liniment as King of Pain could come from a worse sufferer or more grateful heart than mine—George Whitefield D'Vys, Cambridge, Mass. Minard's Liniment was prescribed by Dr. Levi Minard in his private practice fifty years ago. It is the most effective, economical, and clean-to-use external application for rheumatism, neuralgia, pleurisy, stiff, twisted joints, sore, strained, or lame muscles, tired, aching feet, any pain or ache, as well as for throat and lung troubles and as a general family medicine. So pure and antiseptic, so powerful, penetrating, and soothing. Minard's Liniment has justly earned its title, King of Pain. Price Large Size 50c, Small, 25c. Sold Everywhere Manufactured only by Minard's Liniment Mfg. Co. South Framingham, Mass. U. S. A. Sore Stiff and Bruised Aching and Terribly Shaken Up After a Fall of Thirty-One Feet, I Was Free from Pain and Able to Return to Work in Two Weeks by Using Minard's King of Pain Liniment And I would recommend Minard's Liniment for all aches and pains, as it is the best liniment made Respectfully yours, Charles Wood, E. Providence, R. I. So pure and antiseptic, so powerful, penetrating, and soothing as to have justly earned its title, King of Pain, it is the most effective economical, and clean-to-use external cure for rheumatism, neuralgia, pleurisy, stiff, twisted joints, sore, strained, or lame muscles, tired, aching feet, any pain or ache, as well as for throat and lung troubles, and a general family medicine. Take no Substitute We guarantee to refund the purchase price if Minard's Liniment does not give satisfaction. Sold Everywhere Price, Large Size, 50c., Small, 25c. Manufactured only by Minard's Liniment Mfg. Co. South Framingham, Mass. U. S. A." (On top flap) "Minard's liniment Guaranteed by the Minard's Liniment Mfg. Co., under the Food

and Drugs Act, June 30th, 1906. No. 1577. 'King of Pain.' (On bottle) "Shake Well Before Using. No. 1577. Guaranteed by the manufacturer under the Food and Drugs Act, June 30, 1906. Reg. U. S. Pat. Off. Minard's Liniment King of Pain For Rheumatic Pains, Stiff Joints, Contracted, Sore, Strained or Lame Muscles, Numbness of the Limbs, Neuralgia, Cuts, Bruises, Sprains, Pains in the Chest, Side or Back, Inflammation, Sore Hands or Feet, Frost Bites, Chilblains, Sore Throat, Tonsillitis, Quinsy, Croup, Hoarseness, Headache, Toothache, Swellings, Corns, Warts, Snake and all Poisonous Insect Bites. An Excellent Counter-Irritant and Discutient Directions:—For all external uses, cleanse the parts thoroughly with warm water, then apply the Liniment liberally, rubbing it in well with the hand. For Headache and Cold in the Head—Inhale often from the bottle, or a little poured in the palm of the hand; also rub into forehead and temples. For Internal Pains, Coughs, Asthma, Etc.,—Mix half a teaspoonful of Liniment with a tablespoonful of syrup or molasses; take one teaspoonful of the mixture every three or four hours; also apply externally to the parts affected, rubbing it in well with the hand. Athletes, after severe exercise when training or engaging in athletic sports, apply the Liniment, rubbing it in well with the hand for five minutes. For fuller directions refer to paper inside the wrapper. For sprains, Strains, Swellings, Cuts, Chafes or Bruises on a Horse, Minard's Liniment has no equal. Price, This Size, 50 Cts. Small Size, 25 Cts. Manufactured by Minard's Liniment Mfg. Co. South Framingham, Mass., U. S. A. New label adopted Jan. 1907" (Blown in bottle "Minard's Liniment So. Framingham Mass. U. S. A.")

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a thick white emulsion containing ammonia, ammonium chlorid, turpentine, camphor, and ammonia soap.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On carton) "Minard's Liniment * * * is the most effective * * * external cure for rheumatism, * * * pleurisy, * * * as well as for * * * lung troubles * * *;" (On bottle) "* * * For * * * Tonsillitis, Quinsy, * * * For * * * Asthma * * *," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as an external cure for rheumatism, pleurisy, and lung troubles, as a remedy for tonsillitis, quinsy, and asthma, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On October 22, 1915, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*