

6189. Misbranding of XXX Tonic Pills. U. S. * * * v. XXX Pill Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8553. I. S. No. 3728-m.)

On March 20, 1918, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the XXX Pill Co., a corporation, Lewiston, Me., alleging shipment by said company, on or about January 11, 1917, in violation of the Food and Drugs Act, as amended, from the State of Maine into the State of Massachusetts, of a quantity of an article labeled in part, "XXX Tonic Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Coating: Sucrose and calcium carbonate.

Medicinal (decoated): Iron, reduced (gram per pill), 0.020; trace of quinine, strychnin, and resins; emodin, aloin, gentian, anise oil, and vegetable extractives present; faint trace of arsenic; phosphorus (phosphid) and manganese salts absent.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the label of the boxes falsely and fraudulently represented it to be effective as a treatment for rheumatism, diseases of women, neuralgia, sciatica, St. Vitus dance, locomotor ataxia, and partial paralysis, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it to be effective as a treatment for rheumatism, facial neuralgia, hysteria, asthma, amaurosis, paralysis, dyspepsia, scurvy, scrofula, diseases of women, neuralgia, sciatica, St. Vitus dance, locomotor ataxia, diphtheria, derangements of the mind caused by anemia, whooping cough, sensory and motor paralysis of the nervous system, impotence, spermatorrhea, amaurosis of lead poisoning, St. Guys dance, ataxia, and retention or incontinence of urine due to paralysis or paresis of the bladder, when, in truth and in fact, it was not.

On April 15, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN,
Acting Secretary of Agriculture.