

**7980. Misbranding of Hill's Specific or Aromatic Elixir. U. S. \* \* \* v. Hill Chemical Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10053. I. S. No. 9623-p.)**

On August 18, 1919, the United States attorney for the Eastern District of Illinois, 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 Hill Chemical Co., a corporation, Cave in Rock, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about June 3, 1918, from the State of Illinois into the State of Missouri, of a quantity of Hill's Specific or Aromatic Elixir which was misbranded. The article was labeled in part: (Wrapper) (photograph) "G. W. Hill M. D. None genuine without the photo and signature of Hill's Specific or Aromatic Elixir Contains 1-6 grain opium to each fluid oz. 10% alcohol. A Very Pleasant Preparation for Infants and Delicate Persons for Summer Complaint or Diarrhœa of Children. A safe and effectual remedy for Diarrhœa, Dysentery, Cholera Morbus, Cholera Infantum, Cramps, Pains in the stomach and Bowels, Fretfulness and Peevishness in Children and all Stomach and Bowel Troubles. Price 25 Cents Put Up and Guaranteed by Hill Chemical Co. Incorporated Paducah, Kentucky;" (circular) "Hill's for Health Hill's Specific A superb remedy for Flux, Diarrhœa, Dysentery, Cholera Morbus, Gripping Pains, Overloading of the Stomach, Cramps, Cramp Colic and uneasiness in Stomach of Adults. It is Astringent, Anodyne and Aromatic; Mild, Pleasant to take, but effective. Mr. Ed. Musgraves, a leading druggist of Raleigh, Ill., said: 'Hill's Specific cured eight children in one summer in our town after physicians had given them up to die with 'summer complaint.'"

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a solution containing essentially sugar, alcohol, sulphites, sulphates, small quantities of camphor and capsicum, and morphine equivalent to  $\frac{1}{2}$  grain of opium per fluid ounce.

Misbranding of the article was alleged in the information for the reason that the statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and wrappers and in the circulars accompanying the same, were false and fraudulent in this, that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective as a specific, treatment, remedy, and cure for summer complaint, diarrhœa of children, dysentery, cholera morbus, cholera infantum, fretfulness and peevishness in children, and all stomach and bowel troubles, and effective to soothe and heal the bowels, destroy unnatural ferments, bacteria, and all germ life, and effective when used in connection with sub-nitrate of bismuth as a specific for summer complaint and other lingering diseases, when, in truth and in fact, said article was not in whole or in part composed of, or did not contain ingredients or medicinal agents effective for the diseases named. Misbranding of the article was alleged for the further reason that the statement, "Contains 1-6 grain Opium to each fluid oz.," borne on the carton containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading, in that it represented that said article contained  $\frac{1}{2}$  grain of opium to each fluid ounce, whereas, in truth and in fact, the article contained more than  $\frac{1}{2}$  grain of opium to each fluid ounce. The article was misbranded for the further reason that it contained morphine and alcohol, and the label failed to state the quantity or proportion of the morphine or alcohol, and in that the

statement borne on the article, "a safe remedy," was false and misleading, in that it represented that the article was a therapeutic preparation which could be administered with safety to health, whereas, in truth and in fact, the article was not a safe remedy, but was a preparation which contained a harmful and deleterious drug, to wit, opium, which could not be administered with safety to health.

On September 2, 1919, the defendant company entered a plea of guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**7981. Adulteration and misbranding of Big G. U. S. \* \* \* v. 522 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10552. I. S. Nos. 7664-r, 7665-r. S. No. C-1283.)

On June 21, 1919, the United States attorney for the Western District of Oklahoma, 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 522 bottles of Big G, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about June 10, 1918, and October 21, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Big G."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that the bottle carton was labeled "A Compound of Borated Goldenseal," and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that certain statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for catarrh, hay fever, and inflammations, irritations, or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membranes of the mouth, nose, throat, eye, and ear, catarrh—chronic, of the head, gastritis, catarrh of the stomach, hemorrhoids, piles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal cystitis, leucorrhœa, whites, catarrh of the vagina, gonorrhœa in women, and certain other venereal diseases, when, in truth and in fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7982. Misbranding of Santal Midy. U. S. \* \* \* v. 48 Dozen Bottles and 12 Dozen Bottles of Santal Midy. Decree of condemnation and forfeiture. Product ordered released under bond.** (F. & D. No. 10561. I. S. Nos. 2182-r, 2183-r. S. No. W-422.)

On June 16, 1919, the United States attorney for the Southern District of California, 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 48 dozen bottles and 12 dozen bottles of Santal Midy, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that