

4989. Misbranding of "Moreau's Soothing Wine of Anise." U. S. * * * v. The Lafayette Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 6133. I. S. No. 725-h.)

On July 13, 1915, the United States attorney for the District of New Hampshire, 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 Lafayette Co., a corporation, Berlin, N. H., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 4, 1914, from the State of New Hampshire into the State of Massachusetts, of a quantity of an article labeled, in part: "Moreau's Soothing Wine of Anise for Children," which was misbranded.

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

Nonvolatile matter (per cent).....	46.3
Anise oil (approximate per cent).....	2.5
Morphine acetate (crystallized) (grains per fluid ounce).....	0.27
Alcohol (per cent by volume).....	8.7
Sugars (per cent).....	39.6

The product is a sirup containing morphine acetate and alcohol and flavored with anise oil.

It was charged in substance in the information that the article was misbranded in that the statements on the label falsely and fraudulently represented it as a remedy for diarrhea, dysentery, indigestion, and vomiting of children, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that it contained, to wit, 0.27 grain of morphine acetate and 8.7 per cent of alcohol per ounce, and the package failed to bear a statement on its labels of the quantity or proportion of morphine and alcohol contained therein.

On September 21, 1915, the defendant company entered a plea of not guilty to the information. On September 19, 1916, the plea of not guilty was withdrawn and a plea of guilty entered, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*