

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, regarding the curative or therapeutic effects thereof, to wit, (portion of shipment) (bottle) “* * * For * * * ‘La Grippe.’ Whooping-Cough & all affections of the Throat and Lungs,” (carton) “* * * Recommended for * * * ‘La Grippe,’ Whooping-Cough and all Throat and Pulmonary Diseases * * * A safe and active Remedy for all Diseases of the Respiratory Organs * * * all Throat and Lung Diseases,” (circular) “* * * Successfully used in all affections of the Throat, Bronchi and Lungs * * * especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption * * * Tuberculosis * * * ailments of the Chest * * * Spasmodic Coughs * * * Used against all affections of the Throat, Bronchi and Lungs * * * Gauvin’s Cough Syrup is fully indicated for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption * * * Tuberculosis and Epidemic Grippe * * * Diseases of the Chest * * * Gastric Disorders,” (wholesale carton) “* * * recommended for Pulmonary Diseases * * * affections of the Throat, Bronchial Tubes and Lungs, Hoarseness * * * La Grippe, Whooping Cough,” (remainder of shipment) (bottle) “* * * For La Grippe, whooping cough and all affections of the throat and lungs,” (carton) * * * Recommended for La Grippe, whooping cough and all throat and pulmonary diseases * * * for all diseases of the respiratory organs,” (circular) “* * * the greatest possibilities of a radical cure * * * highly recommended for all Affections of the Respiratory Organs * * * its persistent use produces a beneficial relief in serious as well as desperate cases * * * a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs * * * the use of Gauvin’s Syrup in the treatment of more severe cases of * * * Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this remedy * * * Especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs * * * .It will relieve the worst cases * * *,” were false and fraudulent in that the article contained no ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 11, June 17, and July 20, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

8815. Misbranding of Sirop D’Anis (sirop of anise). U. S. * * * v. 20, 29, 28, and 11 Dozen, 71, 57, and 5 Dozen, and 18 Bottles of Sirop D’Anis. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12726, 12727, 12728, 12729, 12730, 12731, 12732, 12733. I. S. Nos. 18587-r, 18592-r, 18371-r, 18590-r, 18594-r, 18374-r, 18596-r, 18598-r. S. Nos. E-2198, E-2245, E-2239, E-2242, E-2244, E-2240, E-2241, E-2249.)

On June 21, 1920, 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 libels for the seizure and condemnation of certain quantities of Sirop D’Anis, remaining unsold in the original unbroken packages, consigned by J. A. E. Gauvin, Lowell, Mass., as follows: 20 bottles, 29 bottles, and 11 dozen bottles at Brunswick, Me.; 28 bottles at Augusta, Me.;

and 18 bottles at Rumford, Me., shipped on or about October 9, 1919; 71 bottles at Chisholm, shipped on or about October 3, 1919; 57 bottles at Fairfield, Me., shipped on or about October 23, 1919; and 5 dozen bottles at Livermore Falls, shipped on or about October 10, 1919, alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing in the labeling, regarding the curative or therapeutic effects thereof, as follows, (two first-named consignments) (bottle) "For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Coughs and colds. Recommended for babies and children when process of dentition is painful," (remaining consignments) (bottle) "For Babies * * * This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition * * * For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.," (all consignments) (wrapper) "For Babies * * * This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc., Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness etc.," (circular) "For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Colds, and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," were false and fraudulent since the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.

On July 11, and July 20, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were 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.*

8816. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 141, 70, 36, 113, 24, 692, and 36 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12736, 12737, 12738, 12739, 12740, 12741, 12742. I. S. Nos. 18600-r, 18599-r, 18593-r, 18588-r, 18591-r, 18595-r, 18589-r. S. Nos. E-2250, E-2251, E-2258, E-2259, E-2260, E-2261, E-2262.)

On June 21, 1920, 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 libels for the seizure and condemnation of 141, 70, 36, 113, 24, 692, and 36 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Rumford, Brunswick, and Chisholm, Me., consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the article had been shipped on or about October 9, October 10, and October 3, 1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark, spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged, in substance, in the libel for the reason that certain statements appearing in the labeling, regarding the curative