

Prevent Disease, * * * If a contagious disease is in the neighborhood feed regularly as long as the contagion lasts. * * * Even hogs so sick with Cholera that they refused to eat anything else have had their appetites restored by it, and have improved steadily until perfectly well."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of sulphate, thiosulphate, chlorid, phosphate, and bicarbonate of sodium, ferrous sulphate, potassium nitrate, charcoal, buckthorn, ginger, and sulphur.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent since the product contained no ingredients or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article knowingly and in reckless disregard of their falsity, so as to represent falsely and fraudulently to the purchaser thereof that the article was in whole or in part an effective remedy for the purpose for which it was recommended, when, in truth and in fact, it was not a remedy for, or a preventative against, the ailments for which prescribed in the label and booklet.

On December 17, 1920, no claimant having appeared for the property, a decree was entered declaring the product to be misbranded and forfeited, and it was ordered by the court that it be destroyed by the United States marshal.

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

9168. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 79 Bottles, 53 Bottles, 41 Bottles, and 45 Bottles of * * * Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12819, 12820, 12821, 12822. I. S. Nos. 1281-r, 1280-r, 1279-r, 1277-r. S. Nos. E-2304, E-2305, E-2306, E-2307.)

On or about July 22, 1920, the United States attorney for the District of Vermont, 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 79 bottles, 53 bottles, 41 bottles, and 45 bottles of Gauvin's Cough Syrup, consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at St. Albans, Vt., alleging that the article had been shipped on or about December 15, August 27, September 3, and September 4, 1919, respectively, and transported from the State of Massachusetts into the State of Vermont, 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 the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (shipment of December 15, 1919) (bottle) " * * * For * * * 'La Grippe,' Whooping-Cough & all Affections of the Throat & 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 beneficent 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. * * * espe-

cially 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. * * *," (remaining shipments) (bottle) "* * * For * * * 'La Grippe,' Whooping Cough & all affections of the Throat & Lungs," (carton, English and French) "* * * Recommended For * * * 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. * * * A safe and active Remedy for all Diseases of the Respiratory Organs: * * * La Grippe, Whooping-Cough and 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, * * *," (French) "* * * used against all affections of the throat, bronchi and lungs * * * Gauvin Cough Syrup is fully indicated for 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," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.

On January 6, 1921, 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.*

9169. Adulteration of oysters. U. S. * * * v. C. H. Weser. Collateral of \$50 forfeited. (F. & D. No. 14047. I. S. Nos. 16704-r, 17417-r.)

On March 10, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against C. H. Weser, Washington, D. C., alleging that on March 12 and February 3, 1920, respectively, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On March 10, 1921, the defendant having entered an appearance, but not defending the action, the \$50 collateral which had been deposited by him was declared forfeited by the court.

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

9170. Misbranding of olive oil. U. S. * * * v. One Case Containing 20 Cans, and One Case Containing 40 Cans, of Victory Brand Pure Olive Oil. Consent decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 513-c, 514-c. I. S. Nos. 11810-r, 11811-r.)

On December 20, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon reports by a deputy State food inspector, filed in