

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8801-8850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

SS01. Misbranding of Linonine. U. S. * * * v. 6 Dozen Large and 18 Dozen Small Bottles of Linonine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12673. I. S. No. 419-r. S. No. E-2191.)

On May 22, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information against 6 dozen large and 18 dozen small bottles of Linonine, at Fall River, Mass., consigned by the Kerr Chemical Co., Danbury, Conn., on or about February 3, 1920, alleging that the article had been transported from the State of Connecticut into the Commonwealth of Massachusetts, 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 an emulsion composed of linseed oil, oils of cinnamon and eucalyptus, methyl salicylate, glycerin, and water.

Misbranding of the article was alleged in the libel of information for the reason that the following statements, regarding the curative and therapeutic effects thereof, (bottle) "Pulmonary Diseases, Consumption, Chronic Coughs, Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, etc. * * * Linonine is Unsurpassed as a Strengthener, Builder, Blood Renewer and for Affections of the Throat and Lungs," (carton, large size only) "Linonine * * * Uses * * * Pulmonary Diseases, Consumption, Chronic Coughs, Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, General Debility, etc. Linonine is Unequalled as a Strengthener, Builder, Blood Renewer and Affections of the Throat and Lungs * * * the emulsion of linseed oil * * * a most efficient remedy for expectorant coughs * * * in the most chronic forms of the disease * * * prophylactic against emphysema * * * a remedy * * * in the asthmas which have a history of sequence to pertussis or measles * * * in the treatment of a phthisis in patients who cannot take cod liver oil, particularly in those who have much bronchitis * * * change the secretion from the * * * small adhesive,

yellowish pellicle which causes such severe coughing in chronic bronchial catarrh to the secretion which the patients themselves will easily describe as loose and easy," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment 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.*

8802. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 23 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12708. I. S. No. 908-r. S. No. E-2229.)

On May 26, 1920, the United States attorney for the Northern District of New York, 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 23 bottles of Gauvin's Cough Syrup, at Plattsburg, N. Y., alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about July 4, 1919, and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "For 'La Grippe,' Whooping-Cough & all affections of the Throat and Lungs;" (cartons, 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 and recommended 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 * * *;" (circular, French) " * * * Used against all Affections of the Throat, Bronchi and Lungs * * * Gauvin's Cough Syrup is fully indicated and recommended 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 Chest * * * Gastric Disorders."

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 and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements, printed upon the labels of the bottles and cartons and in the accompanying circular, were known by the shipper to be false and untrue, and that said statements regarding the curative and therapeutic effect of the article were false and untrue and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment 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.*