

It was alleged in the libels that the article was misbranded, in that the above quoted statements regarding its curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 21, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14618. Misbranding of Dr. Bull's cough sirup. U. S. v. 20 Dozen Bottles, et al., of Dr. Bull's Cough Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20900. I. S. No. 2201-x. S. No. C-5041.)

On March 1, 1926, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on April 27, 1926, an amended libel praying seizure and condemnation of 23 dozen bottles of Dr. Bull's cough sirup, remaining in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped by A. C. Meyer & Co., from Baltimore, Md., on or about February 2, 1926, and transported from the State of Maryland into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "If the cough is severe * * * For Bronchitis * * * Asthmatic cough * * * Croup * * * If attack is severe, give * * * until the disease subsides," (carton, English) "Hoarseness, Bronchitis, Grippe Cough, croup, Whooping Cough and Measles Cough * * * to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease," (carton, German) "For * * * throat and chest colds, hoarseness, inflammation of the bronchial tubes, quinsy, grippe coughs, whooping cough, measles cough, and also for the alleviation of coughs of asthmatic and consumptive persons in the beginning or more advanced stage of their disease," (carton, French) "For * * * Cold in the head, hoarseness, bronchitis, quinsy, croup, influenza, whooping cough and for alleviation in the early stages of phthisis, asthma, even after the disease has already caused great ravages," (carton, Spanish) "For * * * hoarseness, bronchitis, angina, croup, grippe cough, whooping cough and to alleviate the coughs of persons who suffer with asthma or phthisis in the beginning or advanced states of their disease," (pink circular) "Tell Your Coughing Friends to send for sample * * * Do you hear another coughing hard; or, complaining of hoarseness and sore throat? Is one troubled with a bronchitis or grippe cough; or, required to take a cough medicine to quiet the cough, and facilitate expectoration of mucus, in the case of some throat or lung affection? Do you know a mother whose children have croup, whooping cough, or measles cough? * * * tell them of the benefits to be had from this celebrated remedy," (green circular) "effectual in most cases, but for severe conditions the additional treatment mentioned, is advised. * * * A cough or cold should be promptly treated. It is often the beginning of serious throat or lung affections and, if neglected, can develop into consumption. * * * Take Dr. Bull's Cough Syrup * * * If the cough is troublesome, take it * * * until relieved. * * * Croup; simple.—A mother can best treat this affection of early childhood, if she has a bottle of Dr. Bull's Cough Syrup. Give the dose * * * every hour until the breathing becomes easier; * * * In distressing cases give the dose every half hour. Besides, lay hot poultices or hot moist flannels * * * or rub with Salvation Oil * * * Larrabee's Liniment * * * until the affection subsides. Whooping-Cough and Measles' Cough * * * When relief is shown * * * until cough stops. Bronchitis.—The cough attending an attack of this stubborn affection will generally yield to treatment with Dr. Bull's Cough Syrup if persevered in. * * * For a very troublesome cough, take dose every half hour. For Hoarseness, Sore Throat, Loss of Voice, etc., * * * Grippe, Influenza, Cold in the Head.—For the distressing, deep-seated and threatening cough generally following these affections * * * neglect of such coughs may contribute to the development of pleurisy or pneumonia, take promptly regular doses of the Syrup * * * For Asthmatic Cough, take half doses of Dr. Bull's Cough Syrup every hour and after each paroxysm. This will generally relieve recent cases; and, advanced cases may also be much benefited. * * * Cough attending Consumption, incipient or advanced.—

Whether it is the occasional paroxysm of coughing, or the persistent, deep-seated and aggravating cough which a sufferer seeks to quiet; or, whether it is the expectoration of mucus that he desires to facilitate, Dr. Bull's Cough Syrup is recommended to be taken for the purpose, confident that it will prove perceptibly helpful in that direction * * * for treatment of * * * Croup, Whooping-Cough, Measles' Cough, Hoarseness, Bronchitis, Grippe-Cough, Sore Throat, Loss of Voice, Hacking Coughs; and also to relieve Cough of Asthmatic and Consumptive Patients in the various stages of the disease. * * * a remedy which, for rapidity and certainty in relieving coughs, colds and kindred throat, bronchial and chest affections, has probably never been surpassed. * * * related throat, bronchial and chest affections. When it is remembered that life is saved more frequently by the timely prevention of the encroachments of disease than by combating disease when established, the propriety of using Dr. Bull's Cough Syrup promptly for colds and coughs is assuredly unquestionable and of supreme importance; especially in view of the insidious approach of consumption—that merciless enemy of human life. * * * For whooping-cough and simple croup it is invaluable. Mothers can always depend on it. * * * In many cases a few doses will give relief * * * efficacious in some more-aggravated cases of throat, bronchial and chest affections. * * * for patients in advanced stages of pulmonary disease," (testimonials) "an attack of the grippe * * * a severe cough * * * A few doses cured the cough perfectly * * * a very bad cough * * * the same good effect * * * it was good for croup * * * a medicine for croup * * * a bad cough * * * a severe cough * * * whooping-cough * * * a sore throat * * * for * * * croup, bronchitis and whooping cough * * * one of those hard spasms * * * a very bad cold and cough * * * After two bottles she was entirely cured * * * for bronchitis * * * a bronchitis or asthmatic cough * * * in very severe coughs and colds * * * a serious hacking cough * * * a very bad cold and was forever sneezing and coughing." (booklet) "Hoarseness, Bronchitis, Grippe Cough, Croup, Whooping Cough and Measles Cough; also to relieve cough of asthmatic and consumptive patients in incipient or advanced stages of their disease * * * the catarrhal cold moves to the chest; hoarseness and soreness increase; and the loose or dry racking cough develops. Use, in time, the most worthy of all cough remedies, Dr. Bull's Cough Syrup Quick relief; soothing of congested bronchial tubes and lungs; control of cough; and, finally, no cough will be the reward. It is the true cough-and-cold doctor."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, extracts of plant drugs including ipecac, sugar, alcohol, water, and flavoring material.

Misbranding of the article was alleged in the libel for the reason that the bottles and cartons containing the article, and the circulars and booklet contained in the cartons bore statements as above set forth, regarding the curative and therapeutic effects of the said article, which were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14619. Adulteration and misbranding of lemon extract. U. S. v. 10 Dozen Bottles of Lemon Extract. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 15324. I. S. No. 189-t. S. No. C-3162.)

On August 16, 1921, 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 a libel praying seizure and condemnation of 10 dozen bottles of lemon extract, remaining in the original unbroken packages at St. Peter, Ill., consigned by the Kane Remedy Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about June 10, 1921, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "The Kane 4 Ozs. Terpeneless Lemon Extract Distributed by Kane Extract Company, St. Louis, Mo."