

**18037. Misbranding of Simmons' cough syrup. U. S. v. 54 Bottles, et al., of Simmons' Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25881. I. S. No. 12208. S. No. 4124.)**

Examination of a drug product, known as Simmons' cough syrup, from the shipment herein described having shown that the bottle and carton labels bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On or about February 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of fifty-four 25-cent-sized and 14 dozen 50-cent-sized bottles of Simmons' cough syrup, remaining in the original bottles at La Junta, Colo., consigned by the Allied Drug Products Co., Chattanooga, Tenn., alleging that the article had been shipped from Chattanooga, Tenn., on or about August 16, 1928, and had been transported from the State of Tennessee into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle and carton labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Coughs, Whooping Cough, Influenza, and Bronchial Affections;" (carton) "For the relief of Coughs, Whooping Cough, Influenza \* \* \* Sore Throat, Asthma, Bronchitis and Bronchial Affections \* \* \* Stop Coughing."

On March 24, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18038. Misbranding of Jarabe de Kofressi Contra el Reumatismo. U. S. v. 3 Dozen Bottles of Jarabe de Kofressi Contra el Reumatismo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25889. I. S. No. 5745. S. No. 4135.)**

Examination of the drug product herein described having shown that the carton and bottle labels and accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On February 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three dozen bottles of Jarabe de Kofressi Contra el Reumatismo at Aguadilla, P. R., alleging that the article was in possession of Jose Ferrari, Aguadilla, P. R., and was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, gualacol, extracts of plant drugs, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Translation from Spanish, carton) "For the treatment of Muscular and Acute Rheumatism, Inflammation due to Gout, Lumbago and Sciatica;" (bottle) "Anti-Rheumatic \* \* \* for the treatment of Articular and Muscular Rheumatism, Sciatica, Inflammatory Rheumatism, all acute manifestations of Rheumatism and Gout. The best Depurative for the Impurities of the Blood;" (circular) "Rheumatism, Under the word 'Rheumatism' there are included various affections of different nature: First, The acute affection in the articulations, known in medicine under the name of Acute Articular Rheumatism; Second, The disease or maybe the series of diseases named Chronic Rheumatism; and Third, Muscular Rheumatism. Acute Articular Rheumatism \* \* \* There are possibilities that the inflammation may extend to the heart \* \* \* chronic rheumatism \* \* \* muscular rheu-