

On March 2, 1933, no claimant having appeared in the cases instituted in the Northern District of Ohio, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal. On March 27, 1933, similar decrees were entered in the cases instituted in the Western District of Pennsylvania.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20736. Misbranding of Syrup of Ambrozoin. U. S. v. 23 Bottles of Syrup of Ambrozoin. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 20516. I. S. no. 1502-X. S. no. C-4841.)

Examination of the drug preparation involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the bottle and carton labels.

On October 21, 1925, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 bottles of Syrup of Ambrozoin at Rock Island, Ill., alleging that the article had been shipped in interstate commerce on or about July 25, 1925, by the American Apothecaries Co., from Astoria, N. Y., to Rock Island, Ill., 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 extracts of plant drugs, small proportions of ammonium chloride, compounds of sodium and potassium, a bromide, glycerin, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the bottle and carton labels, were false and fraudulent: (Bottle) "Bronchitis, laryngitis, asthma, whooping cough, pulmonary phthisis and other respiratory affections in which a mild sedative or expectorant is required. * * * allays cough, promotes expectoration, exerts soothing influence on the inflamed mucous membrane of the bronchial and pulmonary passages and relieves congestion of the respiratory organs. * * * dose * * * repeated * * * until cough is allayed and respiratory discomfort is overcome"; (carton) "Bronchitis, laryngitis, asthma, whooping cough, pulmonary phthisis * * * and other respiratory affections in which a mild sedative or expectorant is required * * * allays cough, promotes expectoration * * * exerts a soothing influence on the inflamed mucous membrane of the respiratory passages."

On April 28, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20737. Misbranding of Dr. Newton's Nervine. U. S. v. 288 Bottles of Dr. Newton's Nervine. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29685. Sample no. 13731-A.)

Examination of the drug preparation, Dr. Newton's Nervine, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels and in a circular shipped with the article.

On January 3, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 288 bottles of Dr. Newton's Nervine, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about October 8, 1932, by the DeVore Manufacturing Co., from Columbus, Ohio, into the State of California, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Dr. Newton's Nervine * * * Standard Laboratories Sole Proprietors Columbus, Ohio."

Analysis of a sample of the article by this Department showed that it consisted essentially of ammonium, sodium, potassium and strontium bromides (approximately 7 grams per 100 milliliters); sodium benzoate (approximately 2 grams per 100 milliliters), a small proportion of extracts of plant drugs, sugar, and water artificially flavored.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects were false and