

and beneficial for \* \* \* elimination and in the treatment of Liver Complaints, Dizziness, Malaria, Foul Breath, Indigestion, Sick Headache, Rheumatism, Blood and Skin Diseases \* \* \* 'Naturade' for Health \* \* \* Special Directions for use of 'Naturade' Dose—For Adults—One 'Naturade' at night. Increase or decrease the dose as the occasion may require. Children—One-fourth to one-half tablet. \* \* \* For Health."

On April 6, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22346. Misbranding of Granny's Cough Syrup. U. S. v. 200 Bottles and 212 Bottles of Granny's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 31883, 32060, Sample nos. 51565-A, 67052-A.)**

Examination of a cough syrup labeled, "Granny's Compound Syrup of Flaxseed, Rock Candy and Licorice, Mentholated", showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling, that it was not of the composition claimed, and that it contained chloroform which was not declared correctly and plainly.

On January 30, and March 1, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 412 bottles of Granny's Cough Syrup at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce, in various shipments, on or about February 9, 1931, October 13, 1931, and November 2, 1932, by the Hennafoam Corporation, from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs including a trace of alkaloid, potassium bromide (1.4 grams per 100 milliliters), an ammonium compound, a chloride, a small proportion of a sulphate, chloroform (0.36 minim per fluid ounce), menthol, gum sugars, and water.

It was alleged in the libel that the article was misbranded in that the statement on the carton label, "Compound Syrup of Flaxseed, Rock Candy and Licorice Mentholated", was false and misleading, in view of its actual composition. Misbranding was alleged for the further reason that the package failed to bear upon its label a statement of the quantity or proportion of chloroform contained in the article, since the declaration on the bottle label was inconspicuous and incorrect, and the declaration on the carton was incorrect. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, were false and fraudulent: (Bottle) "Directions For children, one teaspoonful every two or three hours. For adults, one dessert spoonful every two or three hours"; (carton) "For Coughs, \* \* \* and Bronchitis. \* \* \* Directions: For Children one teaspoonful every 2 or 3 hours. \* \* \* Cough Remedy \* \* \* a sedative in affections of the throat, relieving recent and obstinate coughs by promoting expectoration."

On March 23, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22347. Adulteration and misbranding of Sirop D'Anis Gauvin Compound. U. S. v. 300 Bottles, et al., of Sirop D'Anis Gauvin Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31740, 31811, 31812. Sample nos. 58041-A, 58076-A, 58077-A.)**

These cases involved shipments of a drug preparation labeled to convey the impression that its chief physiological effects were derived from oil of anise, but which depended chiefly for its effects on the morphine content. The labels were further objectionable in that they contained unwarranted curative and therapeutic claims; the designs and directions conveyed the idea that it could be safely used for babies, whereas its morphine content rendered it unsafe for such use; the declaration of alcohol was inconspicuous; and the declaration of morphine was incorrect in one lot, and inconspicuous in the remainder.

On December 19, 1933, and January 5, 1934, the United States attorney for the District of Rhode Island, acting upon reports by the Secretary of Agricul-

ture, filed in the district court libels praying seizure and condemnation of 641 bottles of Sirop D'Anis Gauvin Compound at Providence, R. I., alleging that the article had been shipped in interstate commerce, in part on or about October 14, 1933, and in part on or about December 1, 1933, by J. A. E. Gauvin, from Lowell, Mass., and charging adulteration and misbranding with respect to one lot, and misbranding with respect to the remainder, in violation of the Food and Drugs Act as amended.

Analyses of samples of the article by this Department showed that it consisted essentially of a morphine compound (one lot containing 0.205 to 0.219 gram of morphine acetate per fluid ounce), alcohol, and water, flavored with oil of anise.

It was alleged in the libel filed with respect to one of the lots that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, "Each Fluid Ounce Contains  $\frac{1}{4}$  Grain of Acetate of Morphine."

Misbranding of the said lot was alleged for the reason that the statement, "Acetate Morphine  $\frac{1}{4}$  Grain Per Ounce", appearing on the bottle and carton labels and in the circular, was false and misleading. Misbranding was alleged with respect to all lots for the reason that the statements on the labels, "Sirop D'Anis Gauvin Compound", "Sirop D'Anis Gauvin Compose", and "Gauvin's Aniseed Syrup", were false and misleading; and for the further reason that the background design of babies on the wrapper label, was false and misleading, since it created the impression that the article could be safely used for babies, whereas it could not be safely used for babies. Misbranding was alleged for the further reason that two of the lots failed to bear a statement of the quantity or proportion of morphine contained in the article, since the statement was inconspicuous; and all lots failed to bear a statement of the quantity or proportion of alcohol, since the statement of alcohol was inconspicuous. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Bottle, wrapper, and circular) "Sirop D'Anis Gauvin Compound \* \* \* Recommended by the Maker and many who have used it as giving relief in cases of restlessness, by alleviating the accompanying pains. It thus induces a soothing effect and restfulness"; (bottle and circular) "Directions: To an infant under one month old, 10 to 15 drops; every month more, 5 to 8 drops more. One year old 1 to 2 teaspoonfuls."

On January 11 and January 26, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22348. Misbranding of Bostwick's White Pine Cough Syrup. U. S. v. 63 Bottles of Bostwick's White Pine Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32057. Sample no. 49142-A.)**

This case involved a drug product labeled to convey the impression that it was derived from white pine. Analysis showed that it contained drugs derived from sources other than white pine, also that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. The alcohol and chloroform present were not declared on the retail carton.

On March 1, 1934, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 bottles of Bostwick's White Pine Cough Syrup at Greensboro, N. C., alleging that the article had been shipped in interstate commerce on or about December 29, 1933, by Bostwick Bros., from Atlanta, Ga., 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, including an alkaloid-bearing drug and wild cherry, chloroform, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the label, "White Pine Cough Syrup", was false and misleading, since it contained drugs derived from sources other than white pine. Misbranding was alleged for the further reason that the package failed to bear on the retail carton statements of the quantity or proportion of alcohol and chloroform