

**7302. Adulteration and misbranding of Moreau's Wine of Anise Compound. U. S. \* \* \* v. 5 $\frac{1}{2}$  Dozen Bottles of Moreau's Wine of Anise Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10383. I. S. No. 12939-r. S. No. E-1453.)**

On May 28, 1919, 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 praying the seizure and condemnation of 5 $\frac{1}{2}$  dozen bottles of Moreau's Wine of Anise Compound, consigned on December 21, 1918, remaining unsold in the original unbroken package at Boston, Mass., alleging that the article had been shipped by the Lafayette Co., Inc., Berlin, N. H., and transported from the State of New Hampshire into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper, English) "Moreau's Wine of Anise Compound for Children. This mild, medicated sweetened wine is given to children in cases of Colic, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, fretful and sleepless children." (French) "Moreau's Wine of Anise Compound for children. This wine of anise compound aids in calming and procuring sleep in children who suffer from Colic, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Cough, Colds, Painful Dentition, Loss of Sleep, Nervousness and Irritability." (Bottle label) Same statements as on wrapper in English and French with additional statement in both languages: "To weak children mix the medicine \* \* \*. Moreau's Wine of Anise Compound for Children. This pure, mild, sweetened, and medicated wine is given to children in cases of Colic, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, fretful and sleepless children. Its action has long ago placed it in all mothers' confidence and they estimate it highly, knowing that Moreau's Wine of Anise Compound containing a pure, mild, sweetened wine is preferable to any soothing remedy compounded with syrup only \* \* \* is scientifically prepared with the best of Anise and other ingredients of merit. To weak children give \* \* \*. For babies cutting teeth rub a little \* \* \* on the gums often." (French) "Moreau's Wine of Anise Compound for Children \* \* \* aids in calming and procuring sleep in children who suffer from Colics, Diarrhœa, Dysentery, Indigestion, Sour Stomach, Vomiting, Painful Dentition, Coughs, Colds, Loss of Sleep, Nervousness and irritability. Its action has since a long time placed it in the first rank and all the mothers who have used it know that Moreau's Wine of Anise Compound containing a rich, sweetened and pure wine is preferable to any other soothing remedy composed only of syrup. \* \* \* is especially prepared with the best quality of Anise and other medicines of merit. To weak children give \* \* \*. During dentition wet the finger in Moreau's Wine of Anise Compound and rub the gums often." "Contains 8% Alcohol,  $\frac{1}{4}$  Grain Acetate Morphine per Ounce."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate 0.035 grain per fluid ounce, alcohol 4.5 per cent by volume, benzoic acid, oil of anise, sugar, and water.

Adulteration of the article was alleged in the libel of information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, being labeled " $\frac{1}{4}$  Grain Acetate Morphine Per Ounce" and "Sweet Medicated Wine."

Misbranding of the article was alleged in substance for the reason that the above-quoted statements, borne on the labels of the packages, were false and misleading, and for the further reason that it failed to bear a statement of the

quantity or proportion of morphine contained therein, and for the further reason that it was offered for sale under the name of another article. Misbranding of the article was alleged for the further reason that the statements regarding its curative and therapeutic effects, appearing on the wrapper and bottle label and in the circular accompanying the article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On September 5, 1919, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**7303. Misbranding of Moreau's Wine of Anise Compound for Children. U. S. \* \* \* v. 13 Dozen Bottles of Moreau's Wine of Anise Compound for Children. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10384. I. S. No. 13013-r. S. No. E-1454.)**

On June 2, 1919, the United States attorney for the District of Maine, 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 13 dozen bottles of Moreau's Wine of Anise Compound for Children, consigned by the Lafayette Co., Berlin, N. H., remaining unsold in the original unbroken packages at Auburn, Me., alleging that the article has been shipped on December 31, 1918, and April 25, 1919, and transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Moreau's Wine of Anise Compound for Children. Contains 8% Alcohol,  $\frac{1}{4}$  Grain Acetate Morphine per Ounce \* \* \*."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed it to consist essentially of morphine acetate 0.038 grain per fluid ounce, alcohol 6.6 per cent by volume, benzoic acid, oil of anise, sugar, and water.

Adulteration of the article was alleged in the libel for the reason that the standard and purity of the article fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the packages failed to bear a statement on the label of the quantity or proportion of alcohol and morphine, since the quantity named was not a true and correct statement of the amount contained therein. Misbranding of the article was alleged for the further reason that the statements borne on the package, regarding the curative or therapeutic effects thereof, to wit, "Moreau's Wine of Anise Compound For Children. This mild, medicated, sweetened wine is given to children in cases of Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Cough, Painful Dentition, Irritable, Fretful and Sleepless Children. \* \* \* This Wine of Anise Compound aids in calming and procuring sleep in children who suffer from Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Coughs, Cold, Painful Dentition, Loss of Sleep, Nervousness and Irritability," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic or curative effects claimed for it.

On June 18, 1919, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*