

**8982. Misbranding of Sirop D'Anis (Syrup of Anise). U. S. \* \* \* v. Certain Bottles of Sirop D'Anis. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12440, 12441, 12442, 12443, 12444, 12446, 12447, 12448, 12449, 12450. I. S. Nos. 13069-r, 13081-r, 13080-r, 13078-r, 13076-r, 13071-r, 13082-r, 13085-r, 13084-r, 13075-r. S. Nos. E-2099, E-2103, E-2104, E-2105, E-2106, E-2109, E-2110, E-2111, E-2112, E-2115.)

On May 17 and 24, 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 libels for the seizure and condemnation of certain bottles of Sirop D'Anis, consigned by J. A. E. Gauvin, Lowell, Mass., between the dates of July 1, 1919, and February 6, 1920, remaining unsold in the original unbroken packages at Portland and Biddeford, Me., alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages containing it bore certain statements regarding the curative or therapeutic effect, as follows, (bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness, and painful dentition. \* \* \* For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, etc.," (wrapper) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for Babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements) Recommended for babies and children when dentition is painful and when wanting sleep," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the effects claimed.

On June 17, 1920, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

**8983. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. Certain Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12823 to 12831, inclusive. I. S. Nos. 1214-r, 1210-r, 1205-r, 1201-r, 1203-r, 1212-r, 1211-r, 1206-r, 1208-r. S. Nos. E-2303, E-2310 to E-2317, inclusive.)

On June 21, 1920, 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 libels for the seizure and condemnation of certain bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Rumford, Westbrook, and Sanford, Me., consigned by J. A. E. Gauvin, between the dates of October 9 and 17, 1919, alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended. Two consignments of the articles were labeled in part: (Bottle) "\* \* \* For 'La Grippe,' Whooping-Cough & all Affections of the Throat and Lungs;" (carton) "\* \* \* Recommended for 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases \* \* \* For all Diseases of the Respiratory Organs;" (circular) "\* \* \* the greatest possibilities of a radical