

that the product be released to said claimant upon payment of the costs of the proceedings. On February 10, 1921, no claimant having appeared for the portion of the product libeled as 15 boxes of Canada Cod, at Lynn, Mass., judgment of condemnation and forfeiture was 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.*

9332. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 87 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12861. I. S. No. 449-r. S. No. E-2344.)

On June 12, 1920, the United States attorney for the District of Connecticut, 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 87 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Willimantic, Conn., alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about August 7, 1919, and transported from the State of Massachusetts into the State of Connecticut, 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 extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the bottles and cartons containing the article and the accompanying circular bore, among other important false and fraudulent statements regarding the cure and mitigation of certain diseases, the following statements regarding its therapeutic effects, to wit: (Bottle) "* * * For babies * * * lagrippe, whooping cough and all affections of the throat and lungs * * *;" (carton, English and French) "* * * Recommended For * * * 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. * * * A safe and active Remedy for all Diseases of the Respiratory Organs: * * * La Grippe, Whooping-Cough and all Throat and Lung Diseases * * *;" (circular) "* * * Successfully used in all affections of the Throat, Bronchi and Lungs. * * * especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption. * * * Tuberculosis * * * ailments of the Chest; * * * Spasmodic Coughs, * * *;" (French) "* * * Used against all Affections of the Throat, Bronchi and Lungs. * * * Gauvin's Cough Syrup is fully indicated for treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption * * * Tuberculosis and * * * Epidemic Grippe * * * Diseases of the Chest * * * Gastric Disorders * * *."

On September 15, 1920, 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.

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

9333. Adulteration and misbranding of Salt-Sulphur Water. U. S. * * * v. 5 Barrels of Salt-Sulphur Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13753. I. S. No. 6259-t. S. No. E-2794.)

On October 5, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on November 22, 1920, an amended libel, for the seizure and condemnation of 5 barrels of Salt-Sulphur Water, remaining unsold in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the Salt-Sulphur Water Co., Excelsior Springs, Mo., on or about August 20,

1920, and transported from the State of Missouri into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Salt-Sulphur Water * * * This Water Is A Recognized Remedy For Chronic Constipation * * * Bottled At Excelsior Springs, Mo. By The Salt-Sulphur Water Co."

Adulteration of the article considered as a food was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal or vegetable substance.

Misbranding of the article considered as a drug was alleged in substance in the libel, as amended, for the reason that the labels upon the barrels containing the article bore the following statements regarding the curative and therapeutic effect thereof, "* * * This Water Is A Recognized Remedy * * * Invaluable In The Treatment Of Inflammatory And Catarrhal Conditions Of The Stomach And Intestines As Well As Diseases Of The Liver. Its Continued Use Stimulates To Healthy Action The Stomach, Liver And Kidneys," which statements were false and fraudulent and were intended to be of such a character as to mislead the purchaser in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 7, 1921, 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.

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

9334. Misbranding of Dr. Carey's Marsh Root. U.S. * * * v. 3 Dozen Bottles of Dr. Carey's Marsh Root. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13817. I. S. No. 7523-t. S. No. E-2837.)

On October 22, 1920, the United States attorney for the District of Connecticut, 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 3 dozen bottles of Dr. Carey's Marsh Root, remaining unsold in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by The Carey Medical Corporation, Rochester, N. Y., on or about July 30, 1920, and transported from the State of New York into the State of Connecticut, 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 plant extractives including alkaloidal material, sodium and potassium salts, salicylates, aromatic oils, sugar, glycerin, alcohol, and water. The presence of juniper, saw palmetto, buchu, uva ursi, and belladonna was indicated.

Misbranding of the article was alleged in substance in the libel for the reason that the carton and bottle containing the article and the accompanying circular bore, among other important false and fraudulent statements, regarding the cure and mitigation of certain diseases, the following statements regarding its therapeutic and curative effects, to wit, (carton) "* * * The Marsh Root Prescription is indicated in the treatment of Bright's disease (before casts are formed), diabetes, kidney, bladder and urinary troubles, disordered liver, stomach and blood diseases * * * this wonderful remedy * * * is advocated for the treatment of chronic and acute kidney, bladder, stomach, liver and urinary diseases * * * restores impoverished blood to the rich, red condition of perfect health. Marsh Root removes the cause * * *," (circular) "* * * This wonderful remedy is a prescription used by Dr. Carey, with marvelous success, for many years in the treatment of kidney and bladder troubles, Bright's disease, and difficulties of the liver * * * for the benefit of all sufferers from those dread diseases. * * * This splendid remedy has proven itself of great value in the treatment of Bright's disease, diabetes, all urinary troubles, retention, scanty, stoppage, too frequent and brickdust. Catarrh of the bladder, gravel and gall