

whooping cough and other throat and lung affections \* \* \* Relieves \* \* \* bronchial asthma. Especially effective in cough of phthisis and whooping cough."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of eucalyptus, sugars, glycerin, gum, water, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 28, 1921, the Edward G. Binz Co., Los Angeles, Calif., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

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

**9339. Misbranding of Joyner's Gui-A-Col Compound. U. S. \* \* \* v. 4½ Dozen Bottles of Joyner's Gui-A-Col Compound. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14591. I. S. No. 167-r. S. No. E-3168.)

On March 12, 1921, the United States attorney for the Eastern District of North Carolina, 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 4½ dozen bottles of Joyner's Gui-A-Col Compound, at Elizabeth City, N. C., alleging that the article had been shipped by the Williams-Ellis Drug Co., Norfolk, Va., on or about March 14, 1920, and transported from the State of Virginia into the State of North Carolina, 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 creosote, potassium iodid, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements on the label regarding the therapeutic effects thereof, (carton) "An Excellent Remedy For \* \* \* Hoarseness, Sore Throat, \* \* \* Whooping Cough, \* \* \* Consumption And All Affections Of The Throat, Chest And Lungs. \* \* \* allays Inflammation of the Throat, Chest, Lungs and Bronchial Tubes. Perfectly Harmless. \* \* \* used with splendid results. \* \* \* remedy for all diseases of the Throat, Chest and Lungs; and will relieve when other remedies fail. One bottle gives immediate relief, and it is warranted to give satisfaction \* \* \*," (bottle) "An Excellent Remedy For \* \* \* Croup, Hoarseness, Sore Throat \* \* \* Whooping Cough \* \* \* Soreness in the Chest, and all affections of the Throat, Chest and Lungs \* \* \*," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding of the article was alleged for the further reason that the statement, "Guaranteed by the Gui-A-Col Medicine Co., Inc., under the Food and Drugs Act, June 30, 1906, No. 34307," was false and misleading.

On April 13, 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.*