

On March 29, 1929, the Research Laboratories (Inc.), claimant, having admitted certain of the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16391. Misbranding of Smi-Lax. U. S. v. 48 Bottles of Smi-Lax. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23552. I. S. No. 05699. S. No. 1782.)

On March 27, 1929, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 48 bottles of Smi-Lax, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Kannapolis Drug Co., from Kannapolis, N. C., November 8, 1928, and transported from the State of North Carolina into the State of South Carolina, 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 was an aqueous solution containing alcohol (17.7 per cent), ammonium salicylate, methenamine, potassium salts, extract of a laxative plant drug, and a trace of alkaloid.

It was alleged in the libel that the article was misbranded in that the label on the bottle bore the statement, "Flu and Grippe Remedy * * * in the treatment of * * * Flu and LaGrippe," and the cartons containing the said bottles bore the statement or label, "Flu and Grippe Remedy * * * for * * * Flu-Grippe," which statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 30, 1929, no claimant having appeared for the property, judgment of combination and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16392. Misbranding of Jarabe Denechaud. U. S. v. 54 Dozen Bottles, et al., of Jarabe Denechaud. Decrees of condemnation and forfeiture entered. Product released under bond. (F. & D. Nos. 22863, 22864, 22865. I. S. Nos. 20744-x, 20745-x, 20746-x. S. No. 901, 914, 915.)

On or about July 11, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 81¾ dozen bottles of Jarabe Denechaud at San Juan, P. R., alleging that the article had been shipped by Brewer & Co., Worcester, Mass., in various consignments on or about April 15 and April 27, 1927, and March 16 and April 27, 1928, and transported from the State of Massachusetts into Porto Rico, and that it was being offered for sale and sold in Porto Rico, 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 pine tar, menthol, chloroform, material derived from cod liver oil, sugar, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Wrapper of portion of product, in Spanish) "Bronchial and Laryngeal affections, chronic catarrhs and whooping cough. Affections of the respiratory organs and pulmonary tuberculosis. * * * prescribed by specialists for the treatment of affections of the bronchi, lungs, cough, and catarrhal affections;" (on carton and bottle label of portion of product, in Spanish) "Bronchitis and pulmonary affections, whooping cough and asthmatic tendencies. * * * Syrup Denechaud is an anti-tubercular preventive, pulmonary reconstituent and sedative of broncho-laryngeal affections."

On November 17, 1928, A. Rodriguez, San Juan, P. R., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by