

It was alleged in the libel that the article was misbranded in that the statements on the bottle label and display carton, "Epsom Salt Tablets Compound", "To be used in place of the ordinary disagreeable Epsom Salts", "Two tablets as effective as a tablespoonful of Epsom Salt", were false and misleading. Misbranding was alleged for the further reason that the statement on the bottle label and display carton, "Sugar coated hence no bitter taste", was misleading, since it created the impression that the taste of the active ingredient, phenolphthalein, was disguised by sugar coating, whereas such was not the case, and for the further reason that the statement on the bottle label and display carton, "Penn Drug and Supply Co. 2 Lackawanna Ave., Scranton, Pa.", was misleading, since it created the impression that the article was manufactured by the firm named, at the address mentioned, when in fact it was manufactured by the Devore Manufacturing Co., at Columbus, Ohio.

On September 2, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21561. Misbranding of Licolin Cough Mixture. U. S. v. 40 Bottles of Licolin Cough Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30754. Sample no. 42939-A.)**

Examination of the drug product, Licolin Cough Mixture, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle label and in a circular shipped with the article. The carton label failed to bear a statement of the quantity or proportion of alcohol contained in the article.

On July 24, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 bottles of Licolin Cough Mixture at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about January 28, 1933, by MacAndrews & Forbes Co., from Camden, N.J., 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 extracts of plant drugs including ipecac and licorice, ammonium chloride, alcohol (73 percent by volume), sugar, and water.

It was alleged in the libel that the article was misbranded in that the carton label failed to bear a statement of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, were false and fraudulent: (Bottle) "For the Relief of \* \* \* Soreness of the Throat", (circular) "The Ancient Romans Cured Their Coughs With Lico and Now \* \* \* So Can the Modern Man with Licolin. \* \* \* Stopping a Cough. \* \* \* to effectively cure coughs, soothe inflamed membranes and even help to build the brawny soldiers' bodies that marched to the siege. \* \* \* the dependable remedy, \* \* \* cough remedy \* \* \* for the coughs and sore throats of today! Licolin \* \* \* effective treatment for coughs, sore throat, distressing mucus which obstructs the bronchial passages and inflamed respiratory organs. \* \* \* 'Keep your system in tone' \* \* \* Its pure, healing licorice has a soothing effect on the stomach as well as on other organs of the body. It aids digestion by removing intestinal mucus. It tones up the system. It purifies the blood. It puts the body in a better condition to more quickly cast off a cold. \* \* \* the most effective cough remedy \* \* \* It relieves the pain and distress attending cough spasms, reducing their recurrence. It loosens objectionable and distressing mucus which obstructs air passages and clears the throat and bronchial tubes of harmful phlegm. It soothes the inflamed respiratory organs. \* \* \* for relieving the violent and spasmodic coughs which often attack children, old people and convalescents. \* \* \* reduces the coughing and induces a quiet normal sleep. \* \* \* at the beginning of the attack \* \* \* Coughs Give In To Licolin. \* \* \* For the relief of \* \* \* Soreness of the Throat \* \* \* For relief from coughs \* \* \* At bedtime a dose will usually prevent coughing during the night. \* \* \* Coughs Give in To Licolin."

On August 16, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*