

22022. Misbranding of L. B. J. Cough Syrup. U. S. v. 538 Packages and 356 Packages of L. B. J. Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29972, 29973. Sample nos. 20550-A, 31651-A.)

Examination of the drug preparation involved in these cases disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 23, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of two lots, consisting of 894 packages, of L. B. J. Cough Syrup at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about December 22, 1932, by the Little Brown Jug Inc., from Sinking Spring, Pa., 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 wild cherry, tar, sugar, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton label of one lot) "For Coughs * * * Hoarseness, Croup, Whooping Cough, Bronchitis * * * in severe cases, one teaspoonful every hour until relieved [the same statements appeared on the bottle label of the remaining lot]"; (circular accompanying both lots) "Cures * * * Coughs—Hoarseness Whooping Cough—Bronchitis—Etc."

On January 18, 1934, 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.

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

22023. Misbranding of L. B. J. Cough Syrup. U. S. v. 238 Packages of L. B. J. Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29971. Sample no. 20549-A.)

Examination of the product involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On March 23, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 238 packages of L. B. J. Cough Syrup at New York City, N.Y., alleging that the article had been shipped in interstate commerce on or about November 7, 1932, by the Liberty Forwarding & Distributing Co., from Reading, Pa., 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 wild cherry, tar, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects, were false and fraudulent: (Carton) "For Coughs, Colds, Hoarseness Croup, Bronchitis * * * in severe cases, 1 teaspoonful every hour until relieved", (circular) "Sand Paper Throat * * * Relieved immediately * * * 'Sandpaper Throat'—That Condition of the Throat that is caused by coughs, hoarseness, tonsillitis, whooping cough."

On January 18, 1934, 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.*

22024. Misbranding of Dr. Tripp's Tonic Prescription. U. S. v. Norwood Pharmaceutical Co. Plea of guilty. Fine, \$25. (F. & D. no. 28205. I.S. no. 47832.)

Examination of the drug product, Dr. Tripp's Tonic Prescription, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On April 8, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Norwood Pharmaceutical Co., a