

15340. Misbranding and alleged adulteration of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20272. I. S. No. 15709-v. S. No. E-5381.)

On July 3, 1925, the United States attorney for the Western District of New York, 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 10 tubs of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Peak Products Co., from Corry, Pa., on June 29, 1925, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On October 2, 1925, the Peak Products Co., Corry, Pa., having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered condemning the product as misbranded, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings, and the execution of a bond in the sum of \$250, conditioned in part that it be reworked, repacked, and relabeled so as to conform with the law.

W. M. JARDINE, *Secretary of Agriculture.*

15341. Misbranding of Syrup of Ambrozoin and Ambrozoin tablets. U. S. v. 3½ Dozen Bottles of Syrup of Ambrozoin, et al. Default orders of destruction entered. (F. & D. Nos. 20458, 20459, 20460, 20461. I. S. Nos. 501-x, 502-x, 503-x, 504-x. S. Nos. W-1783, W-1784.)

On September 23, 1925, the United States attorney for the Southern District of California, 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 5½ dozen bottles of Syrup of Ambrozoin, and 4½ dozen bottles of Ambrozoin tablets, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, N. Y., in various consignments, between the dates of January 19, 1925, and August 6, 1925, and transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the Syrup of Ambrozoin consisted essentially of ammonium chloride, sodium bromide, glycerin, sugar, alcohol, and water, with traces of terpin hydrate, an alkaloid, a phenolic compound, and menthol; and that the Ambrozoin tablets contained ammonium chloride, licorice extract, and a calcium compound, traces of terpin hydrate, and an iodide, and were sweetened with saccharin and colored pink.

It was alleged in the libels that the articles were misbranded in that the labels on the said bottles bore the following statements regarding the curative and therapeutic effects of the said articles: (Syrup of Ambrozoin) "Bronchitis, Laryngitis, Asthma, Whooping Cough, Pulmonary Phthisis, and Other Respiratory Affections In Which a Mild Sedative or Expectorant Is Required * * * Allays Cough, Promotes Expectoration, Exerts a Soothing Influence on the Inflamed Mucous Membrane of the Bronchial and Pulmonary Passages and Relieves Congestion of the Respiratory Organs * * * dose * * * repeated * * * until cough is allayed and respiratory discomfort is overcome," (Ambrozoin tablets) "Demulcent, Sedative * * * Bronchitis, Laryngitis, Pharyngitis, Whooping-cough, Asthma, Tuberculosis and other respiratory affections * * * Dose * * * every hour until relief is obtained," which statements were false and fraudulent, in that the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On April 19, 1927, no claimant having appeared for the property, judgments of the court were entered ordering that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*