

**17057. Misbranding of compound flaxseed, menthol, and wild cherry cough syrup. U. S. v. 11¾ Dozen Bottles of Compound Flaxseed, Menthol, & Wild Cherry Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24271. I. S. No. 021864. S. No. 2511.)**

On November 23, 1929, the United States attorney for the District of Maine, 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 11¾ dozen bottles of compound flaxseed, menthol, and wild cherry cough syrup, remaining in the original unbroken packages at Portland, Me., alleging that the article had been shipped by Brewer & Co., from Worcester, Mass., on or about October 22, 1929, and transported from the State of Massachusetts into the State of Maine, 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, chloroform, menthol, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle and carton labels, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "A valuable treatment for Coughs \* \* \* Bronchial and La Grippe Coughs;" (carton) "A valuable treatment for Coughs \* \* \* Bronchitis, \* \* \* La Grippe and Congested Conditions of the Respiratory Tract A Calmative in Bronchial and Laryngeal Ailments \* \* \* Bronchial Affections \* \* \* Healing."

On December 10, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17058. Misbranding of menthol inhalers. U. S. v. 5 Gross, et al., of Menthol Inhalers. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 24441. I. S. No. 015781. S. No. 2701.)**

On January 15, 1930, the United States attorney for the Eastern District of Pennsylvania, 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 10 gross of menthol inhalers, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Surgical Products Laboratories, Brooklyn, N. Y., alleging that the article had been shipped from Brooklyn, N. Y., in part on or about November 29, 1929, and in part on or about December 11, 1929, and transported from the State of New York into the State of Pennsylvania, 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 menthol.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (label inside glass tube) "For Neuralgia, Asthma, Sore Throat, Catarrh, Hay Fever, Headache, Influenza \* \* \* etc.," (display card) "Relieves Catarrh, Headache, Hay Fever, Asthma, Influenza, Neuralgia \* \* \* etc.," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 3, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17059. Misbranding of Sun Laxative Cold Breakers. U. S. v. 48 Dozen Cartons of Sun Laxative Cold Breakers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23698. I. S. No. 07429. S. No. 1735.)**

On May 18, 1929, the United States attorney for the District of Colorado, 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 dozen cartons of Sun Laxative Cold Breakers, remaining in the original unbroken packages at Denver, Colo., consigned by S. Pfeiffer Manufacturing Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about December 19, 1928, and transported from the State of Mis-