

**18515. Misbranding of Dr. Warner's white wine and tar syrup compound. U. S. v. 7 $\frac{3}{4}$  (Dozen) Small Packages, et al., of Dr. Warner's White Wine and Tar Syrup Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26101, 26102. I. S. Nos. 15276, 26595. S. Nos. 4379, 4380.)**

Examination of a drug product, known as Dr. Warner's white wine and tar syrup compound, from the shipments herein described having shown that the bottle and carton labels and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the eastern district of Wisconsin.

On March 28, 1931, the United States attorney filed in the district court of the United States for the district aforesaid libels praying seizure and condemnation of 6 dozen large-sized packages and 16 $\frac{3}{4}$  dozen small-sized packages of Dr. Warner's white wine and tar syrup compound, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the C. D. Warner Co., from Coldwater, Mich., in part on or about November 18, 1930, and in part on or about February 5, 1931, and had been transported from the State of Michigan into the State of Wisconsin, 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 tar, anise oil, sugar, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements appearing on the bottle and carton labels and in the circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For Coughs \* \* \* and Diseases of the Throat and Lungs;" (carton) "For Affections of the Lungs and Throat such as Asthma, Bronchitis, Coughs \* \* \* LaGrippe, Whooping Cough, Pain or Oppression of the Chest and Sore Throat;" (circular) "A remedy that can be successfully employed in the Treatment of Coughs, Influenza, Asthma, Whooping Cough, \* \* \* Catarrh, Croup, Bronchitis, and Difficult Breathing. \* \* \* A remedy that can be successfully employed in the treatment of Coughs, \* \* \* Tightness of the Chest and Kindred Diseases. Has No equal for LaGrippe. No remedy equals Warner's White Wine and Tar Syrup Compound for this terrible and fatal disease. If taken thoroughly and in time, it will relieve a case in 48 hours, and for the cough that follows LaGrippe, it never fails to give relief \* \* \* [Testimonials] my oldest daughter suffered months with a severe cough. My baby had the croup. After trying many remedies, we used Warner's White Wine and Tar Syrup Compound. Both are restored to good health. \* \* \* had a sore throat and tickling in her throat that kept her coughing night after night. She used Warner's White Wine and Tar Syrup Compound and has not lost a night's sleep since. \* \* \* Child's Life Was Saved. \* \* \* My little girl caught a cold that lasted over a year. We employed three doctors, none could help her. She got so weak she could not stand. We used Warner's White Wine and Tar Syrup Compound. It restored her to good health. Millions of such. \* \* \* Typhoid fever left me with a serious trouble with my throat and lungs. Dr. Warner's White Wine and Tar Syrup Compound relieved me and am now well. \* \* \* My wife was troubled with weak lungs. The disease was far advanced. She has taken four bottles of Warner's White Wine and Tar Syrup Compound and is nearly well. \* \* \* I have used Dr. Warner's White Wine and Tar Syrup Compound for sore throat, coughs, colds and weak lungs. It surpasses all other remedies I have ever tried. \* \* \* Speedy relief for throat and lung diseases. \* \* \* I speak from my own experience; I think it has twice saved my life when suffering from a disease of the throat and lungs. It relieved my neighbor, Mr. Dowes, of asthma, that had afflicted him for thirty years. \* \* \* Our little 6-year old daughter had a very sore throat, badly ulcerated, and coughed almost incessantly. Gave the White Wine and Tar Syrup Compound according to directions and she began to improve immediately and soon got well. \* \* \* My children were afflicted with a cough resulting from measles, my wife had a cough that had prevented her from sleeping, more or less for five years, and your White Wine and Tar Syrup Compound has done the good work."

On May 13, 1931, 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.*