On August 6, 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.*

16931. Adulteration and misbranding of Dakol (nasal cream). U. S. v. 9 7/12 Dozen Packages of Dakol. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 23991. I. S. No. 011609 S. No. 2266.)

On September 6, 1929, the United States attorney for the District of Massachusetts, 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 9 7/12 dozen packages of Dakol (nasal cream), remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the New Haven Laboratories (Inc.), from New Haven, Conn., July 1, 1929, and transported from the State of Connecticut into the State of Massachusetts, and charging adulteration and 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 petrolatum, chloramine-T (0.25 per cent), volatile oils including menthol, and a small amount of a saponifiable fat. Bacteriological examination showed that the product was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, (tube) "Antiseptic," whereas the strength of said article fell below such professed standard.

Misbranding was alleged for the reason that the statements, (tube) "Antiseptic" and (carton containing tube) "Coat tip on tube with Dakol–to Antiseptic," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, borne on the tube and carton, were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Tube) "For * * * relief of * * * Catarrh, * * * Bronchitis, Whooping Cough, Hay Fever, Sore Throat, Asthma. * * * To Prevent nose and throat infection. Squeeze * * * Dakol on * * * finger * * * into each nostril;" (carton) "For the relief of * * * Bronchitis, Catarrh, Whooping Cough, Hay Fever, Sore Throat and Asthma. For the prevention of contagious diseases contracted through nose and throat. * * * Insert tip * * * into nostril * * * pinch tube and draw deep, long breath through nose until Dakol reaches the throat."

On November 5, 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.*

16932. Adulteration and misbranding of ether. U. S. v. One Hundred and Ninety ¼-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24234. I. S. No. 03930. S. No. 2482.)

On November 9, 1929, 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 a libel praying seizure and condemnation of one hundred and ninety ¼-pound cans of ether, remaining in the original unbroken packages at Bristol, Pa., consigned by the Bayway Terminal (for the Harold Surgical Corporation) from Elizabeth, N. J., alleging that the article had been shipped from Elizabeth, N. J., on or about September 10, 1929, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained aldehyde and excess acidity.

It was alleged in the libel that the article was adulterated in that it differed from the standard of purity prescribed by the United States Pharmacopoeia, and its own standard was stated on the label. (The adulteration charges recommended by this department were: The article was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of purity as prescribed by that authority; its own standard was not stated on the