

investigation in that it contained not more than 2.88 grams of cinchona alkaloid sulphates per 1,000 cubic centimeters, whereas said formulary provided that elixir calisaya alkaloids contain not less than 4 grams of alkaloid sulphates per 1,000 cubic centimeters and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding was alleged for the reason that the statements to wit, "Tablets * * * acetanilide 2 gr * * * caffen ¼ gr.," with respect to the acetanilide compound tablets, "Tablets Acid Phenolcinchoninic U. S. P. 5 Grains," with respect to the acid phenylcinchoninic tablets, "Tablets Sulphonethylmethane U. S. P. 5 Grs.," with respect to the sulphonethylmethane tablets; "Each flu'd ounce contains sodium salicylate 40 gr.," with respect to the elixir sodium salicylate compound; and "Each fluid drachm represents calisaya bark 5 gr.," with respect to the elixir calisaya alkaloids, borne on the labels of the respective products, were false and misleading in that the said statements represented that the articles contained the amounts of the said drugs declared on the labels, whereas they contained less than so declared.

Misbranding was alleged with respect to the following products for the further reason that the statements, designs, and devices regarding the therapeutic and curative effects of the articles, borne on the labels, falsely and fraudulently represented that the said acid phenylcinchoninic tablets were effective as an anti-inflammatory agent and as a treatment for gouty, rheumatic, neuralgic, and allied painful conditions, and more active than salicylates in its action in flushing out uric acid from the body; that the said elixir sodium salicylate compound was effective as a remedy for acute, subacute, articular and muscular rheumatism and gout; and that the said elixir calisaya alkaloids were effective as a remedy for some forms of stomach dyspepsia where there is a distaste for food and as a relief for the morbid state of the mucous membrane, was effective to enable the patient to digest and make use of food, and as a remedy for enterocolitis in children and as a remedy for all states of debility; whereas the said articles did not contain ingredients or medicinal agents capable of producing the effects claimed.

On June 20, 1930, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17464. Adulteration and misbranding of ether. U. S. v. 500 Half-Pound Tins of Ether. Default decree of destruction entered. (F. & D. No. 24072. I. S. Nos. 019606, 019607. S. No. 2309.)

Samples of ether from the herein-described interstate shipment having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the facts to the United States attorney for the District of Minnesota.

On September 21, 1929, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 half-pound tins of ether, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Ohio Chemical & Manufacturing Co., from Cleveland, Ohio, on or about July 19, 1929, and had been transported in interstate commerce from the State of Ohio into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "For Ether Anesthesia."

Analysis of a sample of the article by this department showed that the ether contained peroxide.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of purity as determined by the tests laid down in said pharmacopoeia, official at the time of investigation, in that it contained peroxide. Adulteration was alleged for the further reason that its purity fell below the professed standard under which it was sold, namely: (Label) "The Exceptional Purity of this Ether * * * The Exclusion of Air by Carbon Dioxide Prevents the Oxidation of Ether to Peroxides by Atmospheric Oxygen."

Misbranding was alleged for the reason that the statements appearing on the label, "The Exceptional Purity of this Ether * * * The Exclusion of Air by Carbon Dioxide Prevents the Oxidation of Ether to Peroxides by Atmospheric Oxygen," were false and misleading.

On April 10, 1930, no claimant having appeared for the property, judgment was entered by the court ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17465. Misbranding of Colorado Rocky Mountain cough and catarrh root. U. S. v. 66 Cartons of Colorado Rocky Mountain Cough & Catarrh Root. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24662. I. S. No. 023126. S. No. 3005.)

Samples of a drug product known as Colorado Rocky Mountain cough and catarrh root from the herein-described interstate shipment, having been found to bear in the labeling certain curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Washington.

On April 1, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 66 cartons of Rocky Mountain cough and catarrh root, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Colorado Cough & Catarrh Root Co., from Denver, Colo., on or about February 24, 1930, and had been transported from the State of Colorado into the State of Washington, 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 the dried rhizomes and roots of a species of angelica.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular and wrapper accompanying the said article, regarding its curative and therapeutic effects, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Cough and Catarrh Root * * * I had stomach trouble for years. After using one box it did me more good than all the remedies and treatment I ever had. * * * bronchial asthma very bad * * * it helped me so much I don't want to be without it, * * * I have used six boxes and have gained 22 pounds in six months. My trouble is Consumption. * * * I find your root the most wonderful remedy I ever saw. I am almost cured of rheumatism which I have been troubled with for 25 years. I also was constipated and am entirely cured of that. * * * He had a bad case of catarrh, and it has cured him. * * * the Root cured him of a bad case of indigestion * * * I have been using it for stomach trouble and find that in three days' time it begins to help me and that I can eat things that I have not been able to eat without having indigestion. * * * It has been of great benefit to me for indigestion, and also to my husband for a bad cough which he has had * * * My son had catarrh and it did him so much good. * * * It is the best remedy for bronchitis * * * I have taken two boxes of C. C. & C. Root for Consumption. It is doing me more good than anything I have tried. * * * Sufferers from * * * Bronchitis, Asthma, Lungs, Throat, Kidneys, Heartburn, Indigestion, Catarrh and all Catarrhal conditions, Neuralgia, Hay Fever, Nervousness, Stomach Troubles and General Debility, and many other ailments, receive prompt relief from the use of this Root. So far as we know, it has never failed to prove entirely satisfactory. * * * wonderful Root, and my using it restored my voice after having lost it thru the grippe. * * * eminent physicians pronounced me a hopeless consumptive. * * * By chewing the Root and swallowing the saliva my cough was soon cured, and by my persistent use of it for a reasonable time it cured the bronchitis, my lungs and bad stomach trouble. I became a well man;" (wrapper) "Cough and Catarrh Root * * * Asthma, Bronchitis, * * * Catarrh, Heartburn, Indigestion, Throat, Lung and Stomach Trouble. It is Supreme. Chew the Root Freely and a Cough, tho chronic, will soon fade away.

On May 21, 1930, 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.*

17466. Adulteration of ether. U. S. v. 280 One-Quarter-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24006. I. S. No. 06388. S. No. 2276.)

Examination of samples of ether from the herein-described interstate shipment having shown that it did not conform to the United States Pharmacopoeia in that it contained peroxide, a decomposition product, the Secretary