

alleging that the article had been shipped by the P. McConnell Co., from Los Angeles, Calif., on or about January 25, 1929, and had been transported from the State of California into the State of Georgia, 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 the tablets contained acetylsalicylic acid, acetphenetidin, extracts of plant drugs including a laxative drug, and capsicum.

The article was labeled in part: (Carton) "For * * * Rheumatism * * * grippe, influenza * * * earache, neuritis, neuralgia, periodical pains, fever, 1 or 2 tablets first dose followed by 1 tablet each hour or each two hours as required;" (circular) "For * * * rheumatism, grippe, influenza, * * * earache, neuritis, neuralgia, periodical pains, fever 1 or 2 tablets first dose followed by 1 tablet each hour or each two hours as required. * * * For * * * grippe or influenza (flu) drink lots of water and eat lightly."

It was alleged in the libel that the article was misbranded in that the above-quoted statements appearing on the carton labels and in the accompanying circulars were false and fraudulent, in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchaser and to create in the mind of the purchaser the impression and belief that it was composed of or contained ingredients or medicinal agents effective to produce the curative and therapeutic effects set forth therein.

On June 27, 1929 and May 10, 1930, respectively, 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.*

17796. Adulteration of ether. U. S. v. 184 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24700. I. S. No. 017167. S. No. 3027.)

Samples of ether from the herein-described interstate shipment having been found to contain peroxide, indicating deterioration, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Virginia.

On April 7, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 184 quarter-pound cans of ether, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Mallinckrodt Chemical Works, New York, N. Y., on or about September 11, 1929, and had been transported from the State of New York into the State of Virginia, and charging adulteration in violation of the food and drugs act.

Examination 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 test laid down in said pharmacopoeia, in that it contained peroxide.

On October 6, 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.*

17797. Misbranding of Standard cough and cold compound and Standard system tonic. U. S. v. 26 Bottles of Standard Cough and Cold Compound, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 24937, 24938. I. S. Nos. 5405, 5406. S. No. 3275.)

Examination of samples of the herein-described drug products having shown that the labels bore claims of curative or therapeutic properties that the articles did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Columbia.

On August 4, 1930, the said United States attorney filed in the Supreme Court of the District of Columbia, holding a District Court, libels praying seizure and condemnation of 26 bottles of Standard cough and cold compound and 123 bottles of Standard system tonic, alleging that the articles were being offered for sale in the District of Columbia at the premises of the Standard Remedy Co. (Inc.), Washington, D. C., and charging misbranding in violation of the food and drugs act as amended.