

Misbranding was alleged for the reason that the statement on the label, "Ether U. S., P.," was false and misleading when applied to ether containing peroxide.

On June 30, 1931, 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 delivered to this department for official and technical use, but not to be used for anaesthesia.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18673. Adulteration and misbranding of ether. U. S. v. Thirty 1-Pound Cans of Ether. Default decree of condemnation and forfeiture. Product delivered to Federal agency for technical uses. (F. & D. No. 26247. I. S. No. 11750. S. No. 4569.)

Samples of ether having been found to contain nonvolatile matter in excess of the amount prescribed by the United States Pharmacopœia, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of California.

On April 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of thirty 1-pound cans of the said ether, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the J. T. Baker Chemical Co., from Phillipsburg, N. J., on or about January 9, 1931, and had been transported from the State of New Jersey into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether * * * U. S. P. X."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United State Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopœia official at the time of investigation, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Ether * * * U. S. P. X.," was false and misleading.

On June 30, 1931, 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 delivered to this department for official and technical use, but not for anæsthetic purposes.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18674. Adulteration and misbranding of tincture aconite. U. S. v. 7 Pint Bottles, et al., of Tincture Aconite. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26179, 26323. I. S. Nos. 8985, 28191. S. Nos. 4516, 4655.)

Examination of samples of tincture of aconite, represented to conform to the requirements of the United States Pharmacopœia, having shown that the article had a potency very much below the pharmacopœial requirement, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of New York.

On April 4 and May 2, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 18 pint bottles of tincture aconite, remaining in the original unbroken packages at Buffalo, N. Y., consigned by Sharp and Dohme, Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., in part on March 3, 1931, and in part on April 4, 1931, and had been transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tincture Aconite U. S. P. X. Standard * * * Biologically Standardized."

Analysis of a sample of the article by this department showed that it possessed a physiological potency less than one-half of the minimum requirement of the United States Pharmacopœia.

It was alleged in the libels that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopœia, and differed from the standard of strength as determined by the test laid down in the said pharmacopœia, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statements on the label, "Tincture Aconite U. S. P. X. Standard * * * Biologically Standardized," were false and misleading.