

interstate commerce, on or about February 22, 1933, by the Mills Sales Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Imported Russian Mineral Oil."

It was alleged in the libel that the article was misbranded in that the name "Mineral Oil" was false and misleading, since it was intended to create the impression that the article was liquid petrolatum as defined and described in the United States Pharmacopoeia, whereas it was not. Misbranding was alleged for the further reason that the statements, "This Russian Mineral Oil * * * is of the best grade" and "This mineral oil is guaranteed to meet the highest standard of Medicinal Products", were false and misleading, since the article was not of the best grade, and did not meet the highest standard of medicinal products.

On July 6, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21244. Adulteration and misbranding of oil of lavender. U. S. v. 24 Bottles of Oil of Lavender. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30414. Sample no. 37487-A.)

This case involved a shipment of a product represented to be oil of lavender of pharmacopoeial standard, which fell below the standard laid down in the United States Pharmacopoeia for oil of lavender, in that it yielded 5.88 percent of esters calculated at linalyl acetate, that its odor was not characteristic of lavender flowers, that it was not soluble in three volumes of 70-percent alcohol, that its specific gravity at 25° C. was 0.898, that its refractive index at 20° was 1.4726 and that when tested by the method described in the pharmacopoeia for acetins 4.45 cubic centimeters of half-normal hydrochloric acid was required for neutralization; whereas the pharmacopoeia provides that oil of lavender yield not less than 30 percent of esters calculated as linalyl acetate, that it have the characteristic odor of lavender flowers, that it be soluble in three volumes of 70-percent alcohol, that its specific gravity at 25° be not more than 0.888, that its refractive index at 20° be not more than 1.464, and that when tested by the method described in the pharmacopoeia for acetins not less than 4.7 cubic centimeters of half-normal hydrochloric acid be required for neutralization.

On May 8, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of oil of lavender at Perry Point, Md., alleging that the article had been shipped in interstate commerce on or about April 20, 1933, by James Good, Inc., from Philadelphia, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Oil of Lavender, U. S. P."

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 strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated upon the container.

Misbranding was alleged for the reason that the statement on the label, "Oil of Lavender, U. S. P.," was false and misleading, and for the further reason that the article was an imitation of and was offered for sale under the name of another article.

On July 13, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21245. Misbranding of Astra Asthma Relievers. U. S. v. 143 Packages of Astra Asthma Relievers. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30046. Sample no. 30418-A.)

Examination of the drug preparation, Astra Asthma Relievers, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On April 4, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 packages of Astra Asthma Relievers at Baltimore, Md., alleging that the article had been shipped in

interstate commerce, on or about November 1, 1932, by Superior Medicated Products Corporation from New York, N.Y., 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 of stramonium leaves prepared in the form of cigarettes.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "* * * Relievers instantly relieve Asthma, Hay Fever, Bronchitis, Catarrh * * * Sore Throat and all ailments of the throat, nose, lungs, and respiratory tract. For instantaneous relief in any of these ailments, light up an Astra just the same as a cigarette, inhale deeply, and after a few seconds, slowly let the smoke out through the nostrils. In this way the smoke reaches all the affected parts * * * and opens up the air passages"; (wrapper) "Instant relief for asthma, catarrh, hay fever"; (display carton) "Asthma Relievers * * * A sure relief from Asthma, Hay Fever, Bronchial Ailments."

On July 13, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21246. Adulteration and misbranding of mineral oil. U. S. v. 10 Gross Bottles of Imported Russian Mineral Oil. Consent decree ordering product released under bond to be relabeled. (F. & D. no. 30074. Sample no. 31656-A.)

This case involved a quantity of light mineral oil. The article was represented to be heavy mineral oil. It also was falsely labeled as to the name of the manufacturer and the State in which it was made.

On April 13, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 gross bottles of mineral oil at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about March 25, 1933, by the Gibson-Howell Sales Co., from Jersey City, N.J., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that its purity fell below the professed standard and quality under which it was sold, namely, "Russian Mineral Oil Heavy."

Misbranding was alleged for the reason that the name, "Russian Mineral Oil Heavy", borne on the label, was false and misleading, since it tended to create the impression that the article was heavy liquid petrolatum as defined in the United States Pharmacopoeia, whereas it was not heavy liquid petrolatum. Misbranding was alleged for the further reason that the statement on the label, "Honor Research Laboratories, New York, Chicago", was false and misleading with respect to the identity and location of the producer or packer; and in that the article was falsely branded as to the State in which it was manufactured or produced.

On July 21, 1933, the Gibson-Howell Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning the goods, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned that the labels be removed under the supervision of this Department, and that it be relabeled in part: "Light Mineral Oil 1 Pint Packed by Gibson-Howell Co., of Jersey City."

M. L. WILSON, *Acting Secretary of Agriculture.*

21247. Misbranding of Dr. E. A. Welters Wonderful Tooth Powder. U. S. v. 60 Packages of Dr. E. A. Welters Wonderful Tooth Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30464. Sample no. 35592-A.)

Examination of Dr. E. A. Welters Wonderful Tooth Powder disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and can labels.

On May 15, 1933, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 packages of Dr. E. A. Welters Wonderful Tooth Powder at New Orleans, La., alleging that