

and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 17, 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.*

16871. Misbranding of Case's antiseptic ointment. U. S. v. 2 Dozen Small and 2 Dozen Large Jars of Case's Antiseptic Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23975. I. S. Nos. 03914, 03915. S. No. 2202.)

On August 30, 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 2 dozen small and 2 dozen large jars of Case's antiseptic ointment, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Case Manufacturing Co., Trenton, N. J., alleging that the article had been shipped from Trenton, N. J., on or about May 8, 1929, and transported from the State of New Jersey into the State of Pennsylvania, 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 ointment consisted essentially of a tallow base, containing small amounts of phenol and volatile oils including camphor and sassafras oil.

It was alleged in the libel that the article was misbranded in that the statements borne on the labels, "This Ointment is made from a combination of oils extracted from herbs, roots and barks," were false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the labels, "The Healing Wonder * * * Abscesses, Sores of Long Standing, Piles, Eczema * * * Erysipelas * * * Pain in the Side or Back * * * Bunions, Neuralgia, Pneumonia on the Lungs, Sore Throat, Caked or Sore Breast, * * * Enlargement of the Glands, Swelling of any kind," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 25, 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.*

16872. Adulteration of ether. U. S. v. One Hundred and Twelve 1-Pound Cans of Ether. Default decree of destruction entered. (F. & D. No. 24079. I. S. No. 07161. S. No. 2320.)

On September 24, 1929, the United States attorney for the Southern District of California, 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 fifty 1-pound cans of ether, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Mallinckrodt Chemical Works, St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., in two consignments, on or about May 10, 1927, and October 19, 1927, and transported from the State of Missouri into the State of California, and charging adulteration in violation of the food and drugs act. On October 9, 1929, the said libel was amended to cover one hundred and twelve 1-pound cans of the product.

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 U. S. Pharmacopoeia and differed from the standard of purity as specified by that authority.

On October 28, 1929, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16873. Adulteration and misbranding of ether. U. S. v. Fifteen 1-lb. Cans, et al., of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24074. I. S. Nos. 021188, 021189, 021190, 121191. S. N. 2297.)

On September 19, 1929, the United States attorney for the District of New Jersey, 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