

California, 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 consisted essentially of acetanilide, cinchona alkaloid, resinous material, and starch, coated with calcium carbonate and sugar.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, borne on the labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin box, large size) "Grip Tablets \* \* \* grip. \* \* \* For \* \* \* Grippe, etc. \* \* \* For \* \* \* Neuralgia or Pain;" (circular accompanying large size) "Grip Tablets \* \* \* selected to be used in \* \* \* cases of La Grippe \* \* \* and \* \* \* pains and other disagreeable symptoms usually associated with La Grippe. They open up \* \* \* the bowels \* \* \* to carry off from the system morbid poisonous bodies \* \* \* These Tablets are usually effective in warding off \* \* \* La Grippe \* \* \* Grip Tablets \* \* \* They are a combination comprising valuable \* \* \* tonic \* \* \* Directions \* \* \* For \* \* \* Grippe, etc. \* \* \* For \* \* \* Neuralgia or Pain \* \* \* Grip Tablets;" (carton, small size) "Grip Tablets \* \* \* Directions \* \* \* Grippe, etc. \* \* \* Neuralgia or Pain;" (circular accompanying small size) "Grip Tablets \* \* \* These tablets contain a combination of ingredients that are selected to be used in \* \* \* La Grippe \* \* \* aching pains and other disagreeable symptoms usually associated with La Grippe. They open up \* \* \* the bowels \* \* \* to carry off from the system morbid poisonous bodies \* \* \* These tablets are usually effective in warding off the effects \* \* \* La Grippe. \* \* \* They are a combination comprising valuable medicinal agents \* \* \* tonic \* \* \* Directions \* \* \* For \* \* \* Grippe, etc. \* \* \* For \* \* \* Neuralgia, or Pain."

On May 17, 1930, the J. R. Watkins Co., Winona, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,000, conditioned in part that it be relabeled, under the supervision of this department, so that it conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17155. Adulteration and misbranding of ether. U. S. v. One Hundred and Ninety 1-Pound Tins of Ether. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24085. I. S. No. 021205. S. No. 2335.)**

On September 26, 1929, 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 of the United States for said district a libel praying seizure and condemnation of one hundred and ninety 1-pound tins of ether, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Merck & Co. (Inc.), from Philadelphia, Pa., on or about September 13, 1929, and 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.

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

The article was labeled in part: "Ether 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 Pharmacopœia and differed from the standard of purity as determined by the tests laid down in said pharmacopœia official at the time of investigation, since it contained peroxide.

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

On April 15, 1930, Merck & Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled in a manner indicating that it should not be used or sold for medicinal or anaesthetic purposes.

ARTHUR M. HYDE, *Secretary of Agriculture.*