

of Agriculture reported the facts to the United States attorney for the Northern District of California.

On September 14, 1929, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 280 cans of ether at San Francisco, Calif., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., on February 15, 1928, and had been transported from the State of Missouri into the State of California, and charging adulteration 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 for Anesthesia."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraph 1, under drugs, in that its strength fell below the professed standard or quality under which it was sold, viz: "Ether For Anesthesia."

The charge recommended by this department was that the article was adulterated under section 7 of the act, paragraph 1, in the case of drugs, in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of purity as specified by that authority, since it contained peroxide.

On May 10, 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.*

17467. Misbranding of Watkins menthol-camphor ointment. U. S. v. 1061 Dozen Large-Sized Jars, et al., of Watkins Menthol-Camphor Ointment. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24526. I. S. Nos. 010759, 010760. S. No. 2821.)

Samples of a drug product known as Watkins menthol-camphor ointment from the herein-described interstate shipment having been found to bear in the labeling certain curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of California.

On or about February 20, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,061 dozen large-sized jars and 109 dozen small-sized jars of Watkins menthol-camphor ointment, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by the J. R. Watkins Co., from Newark, N. J., in various consignments, on or about September 17, October 20, November 26, and December 24, 1929, respectively, and transported from the State of New Jersey into the State of 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 it consisted essentially of petrolatum containing camphor and menthol.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the jar labels and in the accompanying circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Jar labels) "Watkins Menthol-Camphor Ointment helps to reduce the severity of many cases of Nasal Catarrh * * * Influenza, Spasmodic Croup, Common Sore Throat, Neuralgia;" (circular) "Stop That Pain * * * Very Effective for reducing the severity of * * * Influenza, Croup, Sore Throat * * * Catarrh, Neuralgia * * * A Few Home Treatment Suggestions For * * * Influenza * * * Croup * * * Sore Throat * * * Bronchitis * * * Catarrh * * * Chicken Pox * * * Piles * * * Salt Rheum—A variety of eczema."

On May 16, 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 and repacked, under the supervision of this department, so that it conform with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*