and a tooth paste labeled as Pyo-Rem dental cream from the herein described shipments having shown that the labels bore claims of curative and therapeutic properties which the articles did not possess, and that the dental cream was not antiseptic, as labeled, the Secretary of Agriculture reported the facts to the United States attorney for the District of Colorado.

On April 25 and May 31, 1930, respectively, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 15 dozen bottles of Pyo-Rem, and 5 dozen tubes of Pyo-Rem dental cream, remaining in the original unbroken packages in part at Colorado Springs, Colo., and in part at Denver, Colo., consigned by the Pyo-Rem Chemical Co. (Inc.), Los Angeles, Calif., alleging that the articles had been shipped from Los Angeles, Calif., in two consignments on or about March 7 and May 6, 1930, respectively, and had been transported from the State of California into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Pyo-Rem consisted essentially of zinc chloride, potassium chlorate, and traces of boric acid, chloroform, and formaldehyde, colored with a red dye; and that the Pyo-Rem dental cream consisted essentially of calcium carbonate, soap, glycerin, and traces of zinc chloride and potassium chlorate, flavored with oil of peppermint.

It was alleged in the libels that the articles were misbranded in that the following statements regarding the curative and therapeutic effects of the said articles, appearing on the labels, on the shipping case inclosing portions of the articles, and in the circular accompanying the dental cream, were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Pyo-Rem, label) "Pyorrhea, Alveolaris (Riggs' Disease), Tender, Bleeding, Soft, Spongy or Receding Gums. * * * Pyo-Rem;" (shipping case containing portions of both products) "For Pyorrhea and other Mouth and Throat Disorders;" (Pyo-Rem dental cream, carton) "A real tooth saver * * * Pyo-Rem;" (Pyo-Rem dental cream, tube) "Pyo-Rem Pyorrhea Remedy;" (circular accompanying Pyo-Rem dental cream) "A Real Tooth Saver * * * it enables you to ward off Pyorrhea. * * * It also contains a small quantity of the essential ingredients of Liquid Pyo-Rem—just enough to prevent the appearance of Pyorrhea." The same circular bore the following statements relative to Pyo-Rem liquid: "If you have Pyorrhea, you need no longer despair for Liquid Pyo-Rem will banish the dreaded condition. We have knowledge of many cases where the teeth were so loosened as to almost be removed by the fingers, in which the gums were made healthy and the teeth solid as before. First have your dentist clean the teeth, removing all calculus. Then use * * * Liquid Pyo-Rem daily as a mouth wash to banish the condition. You will have no more Tender, Soft, Bleeding or Receding Gums." Misbranding was alleged with respect to the dental cream for the further reason that the statement "Antiseptic," appearing on the carton and tube, was false and misleading.

On August 19, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17603. Misbranding of strychnine nitrate tablets, extract belladonna root, tincture cinchona, fluid extract colchicum seed, strychnine sulphate tablets, powdered extract cinchona, and tincture opium. U. S. v. Frederick Stearns & Co. Plea of guilty. Fine, $800. (F. & D. No. 19789. I. S. Nos. 2178-x, 2184-x, 2191-x, 2192-x, 4422-x, 4425-x, 4433-x, 4436-x.)

Examination was made of samples of drugs from the herein described interstate shipments which showed that the products contained smaller quantities of the therapeutic agents than declared on the label. Certain of the products were labeled, "U. S. P.," which indicated that they conformed with the tests laid down in the United States Pharmacopœia official at the time of investigation of the articles, whereas they did not conform to the said pharmacopœia.

On September 30, 1926, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frederick Stearns & Co., a corporation, Detroit, Mich., alleging shipment by said defendant in violation of the food and drugs act, on or about August 24, 1925, from the State of Michigan into the State of Missouri, of quantities of

strychnine nitrate tablets, extract of belladonna root, tincture cinchona, and fluid extract of colchicum seed, and on or about November 25, 1925, from the State of Michigan into the State of Ohio, of quantities of strychnine nitrate tablets, strychnine sulphate tablets, powdered extract of cinchona and tincture of opium, which said products were misbranded.

Analyses of samples of the articles by this department showed that the tincture of opium contained 0.685 per cent of anhydrous morphine equivalent to 3.13 grains of anhydrous morphine per fluid ounce or 4.16 grains of morphine sulphate per fluid ounce; the powdered extract of cinchona contained 3.8 per cent total alkaloids of cinchona; the strychnine sulphate tablets one-thirtieth of a grain contained one thirty-eighth of a grain of strychnine sulphate each; the strychnine nitrate tablets one-sixtieth of a grain contained one seventy-fourth of a grain of strychnine nitrate each; the fluid extract of colchicum seed contained 0.302 grain of colchicine per 100 mils; the tincture of cinchona contained 0.62 gram of the alkaloids of cinchona per 100 mils; the extract of belladonna root contained 1.04 per cent of alkaloids; and the strychnine nitrate tablets one-thirtieth of a grain contained one thirty-seventh of strychnine nitrate each.

It was alleged in the information that the articles were misbranded in that certain statements borne on the labels, regarding the articles and the ingredients and substances contained therein, were false and misleading, viz: The 2 lots of strychnine nitrate tablets were labeled, "Tablet Triturate * * * Strychnine Nitrate 1–30 Grain," and "Tablet Triturate * * * Strychnine Nitrate 1/60 Gr.," respectively, whereas the said tablets did not contain 1/30 grain or 1/60 grain, as the case might be, of strychnine nitrate, but did contain less amounts. The extract belladonna root was labeled, "Extract Belladonna Root 1.8% to 2.2% alkaloids," whereas it contained less than 1.8 per cent of alkaloids. The tincture cinchona was labeled, "Tincture Cinchona U. S. P. * * * Standard 0.8 to 1 per cent of alkaloids of cinchona," whereas it did not conform to the United States Pharmacopœia and yielded less than 0.8 per cent of the alkaloids of cinchona. The fluid extract colchicum seed was labeled, "Fluid Extract Colchicum Seed U. S. P. * * * Standard–100 C. c. contain 0.4 Gm. Colchicine," which label represented that the article conformed to the United States Pharmacopœia and that each 100 cubic centimeters contained 0.4 gram of colchicine, whereas the article did not conform to the said pharmacopœia and each 100 cubic centimeters contained less than 0.4 gram of colchicine. The strychnine sulphate tablets were labeled, "Tablet Triturates * * * Strychnine Sulphate 1–30 Grain," whereas each of said tablets contained less than 1/30 grain of strychnine sulphate. The powdered extract of cinchona was labeled, "Extract—Powdered Cinchona * * * Standard 22 to 26 Per cent total Alkaloids," which represented that the article yielded not less than 22 per cent of the total alkaloids of cinchona, whereas the article yielded less than 22 per cent of total alkaloids of cinchona. The tincture opium was labeled, "Tincture Opium U. S. P. * * * Standard—0.95 to 1.05 per cent of anhydrous morphine. Each fluid ounce represents 4.5 gr. anhydrous morphine, equivalent to about 5.7 gr. of morphine sulphate," whereas the article did not conform to the United States Pharmacopœia, it contained less than 0.95 per cent of anhydrous morphine, and each fluid ounce represented less than 4.5 grains of anhydrous morphine, equivalent to less than 5.7 grains of morphine sulphate.

On June 2, 1930, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $800.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17604. Adulteration and misbranding of fluid extract of ginger. U. S. v. 6 Cases of Fluid Extract Ginger. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24950. I. S. No. 035405. S. No. 3170.)

Examination of samples of the fluid extract of ginger from the herein described interstate shipment having shown that it was a weak, substandard product, deficient in ginger extractives, and that it did not conform to the specifications of the United States Pharmacopoeia, and contained an oily material not found in true ginger extract, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Louisiana.

On May 27, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 6 cases of fluid extract of ginger, remaining in the original