

18315. Misbranding of Farmville lithia water. U. S. v. Twenty-three 5-Gallon Bottles of Farmville Lithia Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25965. I. S. No. 24683. S. No. 4241.)

Examination of a mineral water, known as Farmville lithia water, from the shipment herein described having shown that the label bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On March 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of twenty-three 5-gallon bottles of Farmville lithia water at Chicago, Ill., alleging that the article had been shipped by the Farmville Lithia Springs Water Co., from Farmville, Va., February 12, 1931, and had been transported from the State of Virginia into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "This is natural spring water Farmville Lithia Water from Virginia * * * Farmville Lithia Springs Water Co. * * * Chicago, Ill."

Chemical analysis of a sample of water from the shipment showed that it contained only a spectroscopic trace of lithium amounting to about five ten-thousandths (.0005) of a milligram per liter and that the total dissolved mineral matter which consisted chiefly of silica and bicarbonates of lime and magnesia amounted to only 84 milligrams per liter.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the bottle label, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: "Nature's Great Remedy for All Kidney and Liver Diseases, Diabetes, Gout, Rheumatism and All Diseases of Uric Acid Diathesis."

On April 14, 1931, 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.*

18316. Adulteration and misbranding of ether. U. S. v. Seventy-five 1-Pound Cans of Ether. Consent decree of condemnation. Product delivered to department for analytical purposes. (F. & D. No. 25600. I. S. Nos. 8927, 8928. S. No. 3903.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On January 2, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of seventy-five 1-pound cans of ether at Pittsburgh, Pa., alleging that the article had been shipped by Merck & Co., from Newark, N. J., on or about November 17, 1930, and had been transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. 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 Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in said pharmacopoeia, in that it contained peroxide.

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

On May 25, 1931, Merck & Co., Rahway, N. J., having withdrawn claim and answer and having consented to the entry of a decree of condemnation, judgment was entered by the court ordering that the product be destroyed by the United States marshal. On July 15, 1931, an amended order was entered directing the marshal to turn the product over to this department for analytical purposes.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18317. Adulteration and misbranding of Huff's Old Reliable brand sore throat remedy. U. S. v. 7 Bottles of Huff's Old Reliable Brand Sore Throat Remedy. Default decree of condemnation and destruction. (F. & D. No. 25637. I. S. No. 8899. S. No. 3909.)

Examination of the drug product herein described having shown that it contained less chloroform than declared on the label, also that the bottle and