19182. Adulteration of ether. U. S. v. Ninety ½-Pound Cans of Ether. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27077. I. S. No. 22324. S. No. 5311.)

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 Washington.

On October 14, 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 ninety ½-pound cans of ether, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., on or about July 22, 1931, and had been transported from the State of Missouri into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ether for Anesthesia."

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 the test laid down in the said pharmacopoeia, in that it contained peroxide.

On March 16, 1932, the Mallinckrodt Chemical Co., St. Louis, Mo., 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 $500, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act or the laws of any State, Territory, district, or insular possession, and further conditioned that it be relabeled to the satisfaction of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19183. Misbranding of Johnson's American anodyne liniment. U. S. v. 76 Bottles of Johnson's American Anodyne Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27224. I. S. No. 29298. S. No. 5383.)

Examination of Johnson's American anodyne liniment from the shipments herein described having shown that the labeling 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 Southern District of New York.

On November 10, 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 76 bottles of Johnson's American anodyne liniment, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Chemicals and Drugs (Inc.), I. S. Johnson division, from Baltimore, Md., in part on or about March 16, 1931, and in part on or about June 25, 1931, and had been transported from the State of Maryland into the State of New York, 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 alcohol (14.2 per cent by volume), a fatty oil such as olive oil (7.7 per cent), volatile oils, including turpentine oil and camphor (7.5 per cent by volume), ammonia (0.17 gram per 100 milliliters), ether, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For the Relief of Coughs * * * Grippy Cold, Colic, Asthmatic Distress, Bronchial Cold, Nasal Catarrh, Cholera Morbus, Cramps * * * Common Sore Throat * * * Chilblains * * * Muscular Rheumatism."

On February 24, 1932, 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.*