It was alleged in the libel that the article was misbranded in that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the said article. Misbranding was alleged for the further reason that the following statements appearing in Spanish on the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Bottle label, translation) "Used for diseases of the Kidneys, Bladder, Urethra and in Inflammations."

On September 21, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19899. Adulteration and misbranding of fluidextract of ergot. U. S. v. 7½ Pints of Fluidextract of Ergot. Default decree of condemnation, forfeiture, and destruction. (No. 11773–A. F. & D. No. 28728.)

This case involved the shipment of a product which was represented in the labeling as being of pharmacopoeial standard and which was shown by examination to possess a potency of approximately two-thirds of that required by the United States Pharmacopoeia for fluidextract of ergot.

On August 19, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 7½ pints of fluidextract of ergot, remaining unsold at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about May 5, 1932, by Blackman & Blackman (Inc.), from New York, N. Y., to Newark, N. J., and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fluid Extract Ergot, 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 as determined by the test laid down in said pharmacopoeia, and its own standard of strength was not stated upon the container.

Misbranding was alleged for the reason that the statement on the label, "Fluid Extract Ergot U.S.P.," was false and misleading.

On September 29, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19900. Adulteration and misbranding of sodium salicylate tablets, blaud and strychnine compound tablets, phenolphthalein tablets, migraine tablets, nitroglycerin compound tablets, fluidextract of ergot, tincture of aconite, and Wiley's Alcoholic Extract of Cod Liver Oil; misbranding of Narco syrup of the hypophosphites. U. S. v. Hance Bros. & White (Inc.). Plea of nolo contendere. Fine, $200. (F. & D. No. 27484. I. S. Nos. 2440, 27837, 27841, 28002, 28003, 28004, 28006, 28007, 29781, 29811, 29812.)

This action was based on the shipment in interstate commerce of various drugs and drug preparations, which included six lots of drug tablets. The sodium salicylate tablets, the phenolphthalein tablets, and the two lots of nitroglycerin tablets were found to contain smaller amounts of the said drugs than declared. The blaud and strychnine tablets and the migraine tablets also were found to contain a smaller amount of one of the drugs than declared on the labels. The fluidextract of ergot and the tincture of aconite were both represented to be of pharmacopoeial standard and failed to meet the pharmacopoeial tests, the former being essentially inert, i.e., possessing about one-sixth of the required potency of the therapeutically important principle of fluidextract of ergot U.S.P. The case also covered two shipments of a drug preparation, labeled "Wiley's * * * Alcoholic Extract of Cod Liver Oil," and one labeled, "Narco Syrup of the Hypophosphites." Examinations of these drug preparations disclosed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. One lot of the so-called Wiley's extract of cod-liver oil was tested biologically, and was found to be worthless as a source of vitamin D, one of the therapeutically important principles of cod-liver oil.

On August 3, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information