

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

25376-25425

[Approved by the Acting Secretary of Agriculture, Washington, D. C., August 12, 1936]

**25376. Misbranding of Essence of Mistol. U. S. v. 66 Bottles of Essence of Mistol. Consent decree of condemnation, forfeiture, and destruction. (F. & D. no. 29868. Sample no. 26612-A.)**

The alcoholic content of this article was not declared.

On February 28, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 66 bottles of Essence of Mistol at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 28, 1932, by Stanco Distributors, Inc., from Newark, N. J., to Baltimore, Md., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Essence of Mistol."

Analysis showed that the article consisted essentially of volatile oils including menthol, eucalyptol, and camphor, isopropyl alcohol, and water.

The article was alleged to be misbranded in that the label on the carton failed to bear a statement of the quantity or proportion of the isopropyl alcohol contained in the preparation.

On February 28, 1936, a consent decree of condemnation, forfeiture, and destruction was entered.

*M. L. WILSON, Acting Secretary of Agriculture.*

**25377. Adulteration and misbranding of Liquid Medicine in Bulk. U. S. v. Harry Gross and Austin E. Dolan, trading as Dolan Drug & Chemical Co. Plea of guilty by Harry Gross. Plea of nolo contendere by Austin E. Dolan. Gross fined \$2, and Dolan fined \$20. (F. & D. no. 28172. I. S. no. 037450.)**

The label of this article erroneously represented that it was of pharmacopoeial standard. It also fell below the professed standard under which it was sold, was an imitation of another article, and its label failed to bear a statement of its alcoholic content.

On February 14, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court, an information against Harry Gross and Austin E. Dolan, trading as the Dolan Drug & Chemical Co., Boston, Mass., alleging shipment by them, in violation of the Food and Drugs Act, on or about February 15, 1930, from Boston, Mass., to Wichita, Kans., of a quantity of a drug described as Liquid Medicine In Bulk, which was adulterated and misbranded. The article was labeled in part: (Barrels) "Liquid Medicine in Bulk. ICC-10."

Analysis of the article showed it to be a mixture of substances including phenols, rosin, and alcohol (78.82 percent).

The article was alleged to be adulterated (a) in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity determined by the test laid down in said pharmacopoeia in that it contained phenols and rosin, and the strength, quality, and purity of said article was not declared on the container thereof; and (b) in that its strength and purity fell below the professed standard and quality under which it was sold, in that said article was represented to be fluidextract of ginger, U. S. P., but was not, and was a product composed in part of phenols and rosin.