

easier breathing thereby inducing sleep and helping to prevent night coughs; effective in the treatment of throat irritations, chest colds, raw air passages, dry hacking cough conditions, indicated by mucus or phlegm, and hoarse coughs; effective to prevent coughing if rubbed thoroughly on the throat and chest; and to cure tightness or muscular soreness; effective in the treatment of rheumatism, chest colds and congestion; and that it was effective to prevent, allay, and cure pain.

On December 27, 1938, pleas of guilty having been entered, the court imposed a fine of \$200, which was levied jointly against the defendants.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30026. Misbranding of Strasphene. U. S. v. 23 Bottles of Strasphene. Default decree of condemnation and destruction. (F. & D. No. 44138. Sample No. 28155-D.)

The quantity or proportion of acetophenetidin contained in this product was not declared on the label.

On October 14, 1938, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 bottles of Strasphene at Portland, Oreg.; alleging that the article had been shipped in interstate commerce on or about June 24, 1938, by the Emdee Research Laboratories from Oakland, Calif.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the package failed to bear on its label a statement of the quantity or proportion of acetophenetidin, a derivative of acetanilid, contained in the article, since no declaration was made of the acetophenetidin present.

On December 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30027. Adulteration and misbranding of sandalwood oil. U. S. v. Nine Bottles of "Oil Sandalwood—U. S. P." Decree of condemnation, forfeiture, and destruction. (F. & D. No. 43051. Sample No. 15925-D.)

This product was labeled to indicate that it was oil of santal, a product recognized in the United States Pharmacopoeia, but it did not have the characteristic odor of oil of santal and it contained a terpeneol.

On July 12, 1938, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine bottles of sandalwood oil at Oklahoma City, Okla.; alleging that the articles had been shipped in interstate commerce on or about April 19, 1938, by Magnus, Mabee & Reynard from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration was alleged in that the purity of the article fell below the professed standard and quality under which it was sold, namely, "Oil Sandalwood—U. S. P. East Indian," since it was not the volatile oil distilled with steam from the dried heartwood of *Santalum album* Linné, as specified in the United States Pharmacopoeia.

Misbranding was alleged in that the statement "Oil Sandalwood—U. S. P. East Indian" was false and misleading and tended to deceive and mislead purchasers since they were led to believe that the article was oil of santal, a product recognized in the United States Pharmacopoeia; whereas it was not oil of santal but contained terpeneol.

On September 6, 1938, Magnus, Mabee & Reynard, having filed an answer admitting the material allegations of the libel, judgment of condemnation was entered with provision for release of the goods under bond for relabeling. On October 18, 1938, the claimant having petitioned that a decree be entered directing the destruction of the product, the decree of September 6 was ordered vacated and the product was condemned and ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30028. Adulteration of nitrous oxide. U. S. v. 10 Cylinders of Nitrous Oxide. Default decree of condemnation and destruction. (F. & D. Nos. 43951, 43952, 43953. Sample Nos. 33244-D, 33245-D, 33246-D.)

This product differed from the requirements of the United States Pharmacopoeia for nitrous oxide, in that it contained gas or gases other than nitrous oxide in excess of the tolerance permitted in the pharmacopoeia.

On September 23, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cylinders of nitrous oxide at Chicago Ill.; alleging that the article had been shipped in interstate commerce by the Cheney Chemical Co. from Cleveland, Ohio, within the period from on or about July 16 to on or about August 25, 1938; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article was sold under a name recognized in the United States Pharmacopoeia, namely, nitrous oxide, but differed from the standard of strength, quality, and purity as determined by the tests laid down in the pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the label.

On December 5, 1938, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed and that the cylinders be turned over to the Cheney Chemical Co.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30029. Misbranding of Sic'em Wonder Conditioner For Dogs. U. S. v. 41 Jars of Sic'em Wonder Conditioner For Dogs. Default decree of condemnation and destruction. (F. & D. No. 43956. Sample No. 39536-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On October 5, 1938, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 jars of the above-named drug product at Portland, Oreg.; alleging that the article had been shipped in interstate commerce on or about September 2, 1938, by the Kennel Owners Supply Co. from San Bruno, Calif.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of anhydrous sodium acetate.

Misbranding was alleged in that the jar label, carton, and a leaflet shipped with the article contained false and fraudulent representations regarding its curative and therapeutic effectiveness as a conditioner and wormer for dogs, cats, and foxes; as a treatment for hookworms, roundworms, tapeworms, and whipworms; and as a treatment for dry, itchy skin, scraggly coat, dull expression of eyes, listless attitude, inconsistent appetite, eating dirt or filth, foul breath, warm nose, straining at bowel action, rubbing hind parts along ground to relieve rectal itching, passing mucus or actual passage of worms or parts in the feces, distended belly, and twitching or jerking in sleep.

On November 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30030. Misbranding of rubbing alcohol, witch hazel, sweet spirits of niter, Russian oil, and cod liver oil. U. S. v. 23, 33, and 45 Bottles of Rubbing Alcohol (and 4 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 44340 to 44344, inclusive. Sample Nos. 35716-D, 35719-D, 35720-D, 35747-D to 35751-D, inclusive.)

These products were short of the volume declared on the labels.

On November 14, 1938, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 101 bottles of rubbing alcohol, 12 bottles of witch hazel, 33 bottles of sweet spirits of niter, 33 bottles of Russian oil, and 44 bottles of cod liver oil at Nashua, N. H.; alleging that the articles had been shipped in interstate commerce in part on or about September 18, 1938, and in part on or about October 18, 1938, by M. S. Walker, Inc., from Boston, Mass.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the following statements on the labels of the respective products, (rubbing alcohol) "Contents 16 Fl. Oz." and "Full Pint," (witch hazel) "Contents: 8 Fluid Ounces," (sweet spirits of niter) "1 Fl. Oz.," (Russian oil) "16 fl. oz.," and (cod liver oil) "16 fl. oz.," were false and misleading when applied to articles that were short volume.

On December 14, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*