

label, were false and misleading since the tablets contained less acetanilid, less monobromated camphor, and less sodium salicylate than so represented.

On September 30, 1938, a plea of nolo contendere was entered on behalf of the defendants. On February 3, 1939, the court adjudged the defendant guilty and imposed a fine of \$25.

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

30212. Adulteration and misbranding of ether U.S.P. 10 (Ethyl Oxide U.S.P. XI). U. S. v. 17 Cans of Ether. Default decree of condemnation and destruction. (F. & D. No. 44365. Sample No. 21036-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination was found to contain peroxide in each of the three cans examined.

On November 16, 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 17 cans of the above-named product at Chicago, Ill.; alleging that the article had been shipped on or about August 17, 1938, from St. Louis, Mo., by Merck & Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration was alleged in that the article was sold under names recognized in the United States Pharmacopoeia, "ether" and "ethyl oxide," but differed from the standard of strength, quality, and purity as determined by the tests laid down by said pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the label. Adulteration was alleged further in that the strength and purity of the article fell below the professed standard and quality under which it was sold, namely, "Ether U. S. P. 10," since it did not conform to the specifications of the tenth revision of the pharmacopoeia for ether, in that it contained peroxide.

Misbranding was alleged in that the statements (shipping carton) "Ether * * * U. S. P. X" and (can label) "Ether U. S. P. 10 * * * (Ethyl Oxide U. S. P. XI)," were false and misleading since the article did not conform to the specifications of the tenth revision of the pharmacopoeia for ether, nor the specifications of the eleventh revision of the pharmacopoeia for ethyl oxide.

On January 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30213. Misbranding of Bell's Liquo-Garlic. U. S. v. Twenty-three 8-Ounce Bottles, et al., of Bell's Liquo-Garlic. Default decree of condemnation and destruction. (F. & D. No. 44551. Sample No. 25077-D.)

The labeling of this veterinary product bore false and fraudulent representations regarding its curative and therapeutic effects.

On December 19, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 185 various-sized bottles of Bell's Liquo-Garlic at Atlanta, Ga.; alleging that the article had been shipped in interstate commerce on or about December 14, 1937, by Homerb & Liquid Garlic Products, Inc., from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of water, glycerin, sugar, and an extract of garlic or a similar flavor.

Misbranding was alleged in that the bottle label, display carton, and circular bore false and fraudulent representations regarding the curative and therapeutic effectiveness of the article as a tonic and conditioner for dogs, cats, and foxes, and as a natural and harmless vermifuge; its effectiveness to restore and maintain health and as a treatment for stomach and intestinal disturbances, scaly coats, worms, pain, dyspnea (difficult breathing), vicarious appetites; its effectiveness to stimulate gastric secretions, to promote gastric and intestinal action, to stimulate the growth of those organisms necessary for proper intestinal digestion; its effectiveness as a conditioner in case of poor appetite, fermentation, worms, constipation, gas, and as a preventive of toxemia and putrefaction; its effectiveness as an intestinal disinfectant, stimulant, and antidyspeptic; its effectiveness to increase expectoration, allay distress of unproductive coughing, and as a tonic for run-down condition of puppies and old dogs; and its effectiveness to ease the pain of neuralgia and rheumatism, to prevent scurvy, and to make dogs have glossy coats.