

5474. Adulteration and misbranding of hydrogen peroxid. U. S. \* \* \*  
v. Arthur Co., a corporation. Plea of nolo contendere. Fine, \$10  
and costs. (F. & D. No. 8155. I. S. Nos. 20342-1, 20343-1, 1387-m.)

On or about June 4, 1917, the United States attorney for the district of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Arthur Co., a corporation, New Haven, Conn., alleging shipment by said company, in violation of the Foods and Drugs Act, on or about March 8, 1916, and March 3, 1916, from the State of Connecticut into the State of California, and November 1, 1916, from the State of Connecticut into the State of Massachusetts, of quantities of an article labeled in part, "Hydrogen Peroxide," which was adulterated and misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

*Shipment of March 3.*

Hydrogen peroxid (per cent by weight)-----	2.15
Free acid (cc N/10 acid per 25 cc)-----	6.8
Acetanilid: Present.	

*Shipment of November 1.*

Net weight (average of 4 bottles) (ounces)-----	3.89
Hydrogen peroxid (H <sub>2</sub> O <sub>2</sub> ) (per cent by weight)-----	1.99
Free acids (cc N/10 acid per 25 cc)-----	5.1
Acetanilid: Present.	

*Shipment of March 8.*

Net contents (fluid ounces)-----	3.72
Hydrogen peroxid (per cent by weight)-----	2.12
Free acid (cc N/10 acid per 25 cc)-----	6.55
Acetanilid: Present.	

Adulteration of the article in each shipment was alleged in the information for the reason that it was sold under the name recognized in the United States Pharmacopœia, to wit, hydrogen peroxid, and it differed in strength and quality and purity from the standard of strength, quality, and purity as determined by the test laid down in the said Pharmacopœia, and was of a lower standard of strength, quality, and purity, and its own standard thereof was not stated upon its label or elsewhere.

Misbranding of the article in each shipment was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit: "10 vol. U. S. P. H<sub>2</sub>O<sub>2</sub> 3%," was false and misleading in that it represented to purchasers that the article contained not less than 3 per cent by weight of H<sub>2</sub>O<sub>2</sub>, that is to say, of hydrogen dioxid, whereas, in fact and in truth, it did not, but contained a less quantity of hydrogen dioxid than 3 per cent of said article. Misbranding of the article in the shipments of March 8 and November 1, 1916, was alleged for the further reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "4 Oz. Liquid," was false and misleading in that it represented to purchasers that each bottle of the article contained not less than 4 fluid ounces of said article, whereas, in fact and in truth, it did not, but contained a less quantity of said article than 4 fluid ounces thereof.

On June 7, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*