

and condemnation of forty-five 1-pound cans of ether, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the J. T. Baker Chemical Co., Phillipsburg, N. J., alleging that the article had been shipped from Phillipsburg, N. J., on or about June 14, 1929, and transported from the State of New Jersey into the State of California, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

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 purity as determined by the test laid down in said pharmacopoeia official at the time of investigation, in that it contained peroxide.

Misbranding was alleged for the reason that the statement "Ether Purified for Anesthesia U. S. P. X.," borne on the label, was false and misleading.

On October 29, 1929, no claimant having appeared for the property, a decree was entered adjudging the product adulterated and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16858. Adulteration of ether. U. S. v. Twenty 1-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24067. I. S. No. 0300. S. No. 2291.)

On September 16, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of twenty 1-pound cans of ether, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., December 19, 1928, and transported from the State of Missouri into the State of Washington, and charging adulteration in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

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 purity as specified by that authority.

On October 8, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16859. Misbranding of Dr. Williams' No. 101 tonic. U. S. v. 78 Bottles of Dr. Williams' No. 101 Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23557. I. S. No. 02389. S. No. 1736.)

On April 2, 1929, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 bottles of Dr. Williams' No. 101 tonic, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Interstate Drug Co., from Quitman, Ga., on or about January 24, 1929, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, quinine sulphate (4.9 grains per fluid ounce), ferric chloride, and glycerin.

It was alleged in the libel that the article was misbranded in that the statements on the circular, "No. 101 is * * * safe * * * No. 101 contains no * * * injurious drugs. You give it to children with perfect safety," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (bottle) "For Malaria, Chills, Chills and Fever, * * * LaGrippe, Influenza," (carton) "For Chills and Fever, Bilious Fever, Continued Fever, Intermittent and Remittent Fever. * * * LaGrippe and Influenza * * * Gives Appetite Restores Vitality Renews Health * * * No. 101 * * * as a specific for Chills and Fever * * * Influenza * * * Influenza Epidemic * * * The combination of Iron, Quinine and Magnesia is effective in treating this malady * * * for * * * LaGrippe * * * Malaria * * * if you * * * get it, take * * * No. 101 Tonic. This