

various Pulmonary disorders, gives grateful relief to inflamed condition of the throat and lungs."

On June 19, 1930, 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.*

17619. Adulteration and misbranding of ether. U. S. v. 425 Cans, et al., of Ether. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24655. I. S. Nos. 027527, 027528, 027701. S. No. 2909.)

Samples of ether from the herein described interstate shipment having been found to contain peroxide, indicating deterioration, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On March 25, 1930, the United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of four hundred and twenty-five 1-pound cans and sixty-three ½-pound cans of ether, remaining in the original unbroken packages at Rahway, N. J., alleging that the article had been shipped by Merck & Co. (Inc.), Philadelphia, Pa., in various consignments on or about January 18, 23, 27, and 29, 1930, respectively, and had been transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether for Anesthesia U. S. P."

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 tests 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 on the label, "Ether * * * U. S. P.," was false and misleading.

On August 1, 1930, Merck & Co. (Inc.), Philadelphia, Pa., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be relabeled in a manner indicating that it should not be used or sold for medicinal or anaesthetic purposes.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17620. Misbranding of Alvita tablets. U. S. v. 5½ Dozen Packages of Alvita Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24213. I. S. No. 011257. S. No. 2450.)

An examination of a drug product known as Alvita tablets from the herein described interstate shipment having shown that the labels bore curative and therapeutic claims which were not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the District of Colorado:

On November 16, 1929, the United States attorney filed in the District Court of the United States for the said district a report praying seizure and condemnation of 5½ dozen packages of Alvita tablets, remaining in the original unbroken packages at Denver, Colo., consigned by the California Alfalfa Products Co., Lamanda Park, Calif., alleging that the article had been shipped in interstate commerce from Lamanda Park, Calif., into the State of Colorado on or about September 10, 1929, 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 the tablets contained an extract of plant material, traces of sassafras and celery oils, and starch, coated with calcium carbonate and colored brown.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the packages and in the printed matter accompanying the said article, regarding its curative and therapeutic effects, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Display carton) "Tonic Tablets * * * To be used in the treatment of Kidney, Liver and Bladder