

**17910. Adulteration and misbranding of ether. U. S. v. Thirty-six ½-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 25633. I. S. No. 5033. S. No. 3923.)

Samples of ether from the herein-described shipment having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On January 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of thirty-six ½-pound cans of ether, remaining in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by the Brewer Co., from New York, N. Y., on or about May 29, 1930, and had been transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, or purity as determined by the test laid down in said pharmacopœia official at the time of investigation.

Misbranding was alleged for the reason that the statement on the can label, "Ether for Anesthesia—U. S. P.," was false and misleading when applied to an article containing peroxide.

On February 26, 1931, 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.*

**17911. Adulteration and misbranding of codeine sulphate tablets and Fowlers solution tablets. U. S. v. 5,000 Tablets Codeine Sulphate, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 24791, 24792. I. S. Nos. 027060, 027062. S. No. 3162.)

Examination of samples of the tablets from the herein-described shipments showed that the codeine sulphate tablets contained less codeine sulphate than declared on the label, and that the Fowlers solution tablets contained less arsenic than should be present in tablets containing the amount of Fowlers solution declared on the label.

On June 3, 1930, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 5,000 codeine sulphate tablets and 5,000 Fowlers solution tablets at Rochester, N. Y., consigned by the C. M. Bundy Co., Indianapolis, Ind., alleging that the articles had been shipped from Indianapolis, Ind., March 20, 1930, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part, respectively: "Codeine Sulphate ¼ gr." and "Fowlers Solution 5 min."

Analyses of samples of the articles by this department showed that the codeine sulphate tablets contained 0.218 grain of codeine sulphate per tablet, and the Fowlers solution tablets contained arsenic trioxide per tablet, equivalent to 2.4 minims of Fowlers solution.

It was alleged in the libels that the articles were adulterated in that their strength fell below the professed standard under which they were sold, namely, "Codeine Sulphate ¼ gr." and "Fowlers Solution 5 min."

Misbranding was alleged for the reason that the statements appearing on the respective labels, "Codeine Sulphate ¼ gr." and "Fowlers Solution 5 min.," were false and misleading.

On January 20, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17912. Adulteration and misbranding of syrup of tar with extract of cod livers and menthol. U. S. v. 284 Bottles of Syrup of Tar with Extract of Cod Livers and Menthol. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 25556. I. S. Nos. 15649, 15650. S. No. 3803.)

Examination of samples of a drug product, known as syrup of tar with extract of cod livers and menthol, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, and that