

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Prophylactic and Preventive;" (circular) "Prophylactic * * * Preventive * * * Kinoloids * * * they have become the remedy of choice in all vulvo-vaginal discharges. Kinoloids are used successfully in the treatment of all inflammatory diseases of the vaginal tract and female genative organs, such as Vaginitis, Pruritus (intense itching of the parts), Leucorrhoea (whites), Endo-Metritis, Ammenorrhoea (suppression), Dysmenorrhoea (painful periods), Menorrhagia (bleeding), Ovaritis (inflammation), etc. etc., but are especially recommended as a sanitary measure to keep the parts in a healthy condition, prevent vaginal and venereal diseases and to eliminate those offensive odors that are at times so objectionable and embarrassing. Diseases of the vaginal tract are indicated by unnatural discharges. A prompt use of Kinoloids upon the first appearance of such discharges will bring immediate relief and prevent running into a chronic condition thus precluding the possibility of more serious complications. As a preventive of venereal diseases Kinoloids may be faithfully relied upon, being far superior to any other known method of protection and containing no poisons of any description. * * * quickly healing in all disorders of the vaginal tract. * * * Leucorrhoea (Whites) * * * Introduce a Kinoloid well up into the vagina upon retiring and follow upon rising with a warm borax douche. Repeat nightly until the disease is arrested, then use Kinoloids several times a week to prevent a return of the trouble. * * * Inflammatory Diseases—such as Vaginitis, Pruritus (intense itching of parts), Endo-Metritis, Ammenorrhoea, Dysmenorrhoea, Menorrhagia, Ovaritis, etc., will respond promptly to the Kinoloid treatment. * * * Piles * * * To Prevent Venereal Diseases—Introduce a Kinoloid well up into the vagina and allow to remain about a minute. While an after douche is not necessary * * * If any venereal disease has already been contracted, Kinoloids will prove of great relief, and some cases are on record where permanent relief has been given."

On April 8, 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.*

18050. Adulteration and misbranding of ether. U. S. v. Ten ¼-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25952. I. S. No. 28025. S. No. 4206.)

Examination of samples of ether from the shipment herein described having shown that peroxide, a decomposition product, was present in the article, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Pennsylvania.

On February 24, 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 ten ¼-pound cans of ether, remaining in the original unbroken packages at Reading, Pa., consigned by Merck & Co. (Inc.), Rahway, N. J., alleging that the article had been shipped from Rahway, N. J., on or about December 16, 1930, and had been transported from the State of New Jersey into the State of Pennsylvania, 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."

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 strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated upon the label.

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

On March 17, 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.*