

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 June 9, 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.*

18399. Adulteration and misbranding of ether. U. S. v. 38 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25910. I. S. No. 26923. S. No. 4167.)

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

On or about February 27, 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 38 cans of ether, remaining in the original packages at Dallas, Tex., alleging that the article had been shipped by the Mallinckrodt Chemical Works, St. Louis, Mo., on or about May 1, 1930, and had been transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether for Anesthesia."

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 for ether laid down in the said pharmacopoeia at the time of investigation, since it contained peroxide.

Misbranding was alleged for the reason that the article was labeled, "Ether for Anesthesia," which label was false and misleading in that it led the public to believe that the article was ether which conformed to the standard of purity laid down in the United States Pharmacopoeia, whereas it did not, since it contained peroxide.

On May 15, 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.*

18400. Misbranding of Wood's fever pills. U. S. v. 70 Packages of Wood's Fever Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25776. I. S. No. 8138. S. No. 4012.)

Examination of a drug product, known as Wood's fever pills, from the shipment herein described showed that the article contained cinchonine, a derivative of cinchona, that it was recommended as a cure for ailments for which quinine and other cinchona derivatives are customarily prescribed, and that it contained insufficient cinchonine to cure such ailments when used according to directions, namely: "Two Pills the night before and two Pills the morning of the expected fever day; then one Pill night and morning for one or two days; then one Pill the night before and one the morning of the 7th, 14th, and 21st days, counting from the last fever." The labeling of the article bore further curative and therapeutic claims that were not justified by the composition of the article.

On January 23, 1931, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 70 packages of Wood's fever pills at Memphis, Tenn., alleging that the article had been shipped by Dr. Wm. Wood & Sons, from Cairo, Ill., on or about October 6, 1930, and had been transported from the State of Illinois into the State of Tennessee, 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 contained acetanilid (0.86 grain per pill), cinchonine (0.29 grain per pill), and extracts of plant drugs including a laxative drug.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the carton and in the circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For all Bilious and Malarial Diseases * * * For any form of Malarial Fever, such as Bilious Fever, and Ague, Dumb Ague, Intermitting and Remitting Fever, Sun Pain, Sick Headache, Neuralgia, Swamp Fever, Etc.;" (circular) "General Directions—For any form of Malarial Fever, such as Bilious Fever, Fever and Ague, Dumb Ague, Intermitting and Remitting Fever. Sun Pain, Sick Headache, Neuralgia, Swamp Fever, etc. * * * Kidney Derangements caused by malaria are very common, causing Apoplexy, Paralysis, Insanity, Neuralgia and Spinal Diseases generally, while their cause is hardly suspected. * * * One Pill every night or two, as a female regulator * * * One or two pills will break up and relieve a Sick Headache * * * When the system is debilitated and the blood has lost its rich rosy hue * * * In rousing a Torpid Liver they have no equal * * * Jaundice cured by * * * Let the aged who sometimes sigh for the 'Elixir of Perpetual Youth' take a Wood's Pill or two and he will own that he has found an excellent substitute for that 'Fabled Elixir.' Erysipelas cured * * * Malarial Dropsy * * * Another effect of Malaria is dizziness, mental confusion and loss of memory * * * Malarial Rheumatism * * * As a preventive for Yellow Fever, Typhoid Fever, Cholera and other Zymotic Diseases * * * For Chronic Diarrhoea."

On May 12, 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.*