and therapeutic effects of the article, were false and fraudulent: (Bottle) "Serviceable in the treatment of weakness, run-down conditions"; (carton) "In the treatment of weak, run-down conditions of the System."

On May 28, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22343. Misbranding of Ergot-Apiol A. P. C. U. S. v. 15 Packages of Ergot-Apiol A. P. C. Default decree of condemnation and destruction. (F. & D. no. 31982. Sample no. 66241-A.)

Examination of the drug product involved in this case showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the label. The label of the article purported to state the formula, and failed to declare the presence of powdered ergot, an active ingredient.

On or about February 15, 1934, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 packages of Ergot-Apiol A. P. C. at New Haven, Conn., alleging that the article had been shipped in interstate commerce, on or about December 14, 1933, by the American Pharmaceutical Co., Inc., from New York, N. Y., 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 powdered ergot and other material derived from plants including aloin, a nonvolatile oil such as apiol, and a volatile oil such as savin oil. Biological examination indicated the presence of active ergot alkaloids.

It was alleged in the libel that the article was misbranded in that the statement on the tin container, "Formula: Ergotin Bonjean, Apiol, Aloin Oil Rue, Oil Savin", was false and misleading, since it contained powdered ergot, an active ingredient, not stated in the formula. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Tin container) "Usual dosage from one to two capsules three times a day. Prepared for use under physician's direction in the treatment of amenorrhea, dysmenorrhea and menstrual disorders."

On April 12, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22344. Adulteration and misbranding of whisky. U. S. v. 215 Cartons and 49 Cartons of Old Nectar Whiskey. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 32001. Sample no. 43062-A.)

This case involved a shipment of a product labeled "Whiskey", which failed to conform to the requirements of the United States Pharmacopoeia. The package failed to bear on its label a statement of the percentage by volume of alcohol in the article, and the label bore unwarranted claims regarding its medicinal properties. The article was labeled in part: "Old Nectar Whiskey. A Blend Frankfort Distilleries, Incorporated. Louisville, Kentucky Baltimore, Maryland."

On or about February 17, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 215 cartons each containing 24 pint bottles, and 49 cartons each containing 12 quart bottles of whisky, at Baltimore, Md., alleging that the article had been shipped in interstate commerce, by the Milligan Midtown Warehouse, from New York, N.Y., into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that it was sold under a name, "Whiskey", recognized in the United States Pharmacopoeia, and differed in strength, quality, and purity from the requirements of that authority, in that it contained less alcohol, less acid, and less esters than are required by the pharmacopoeia, and in that it contained caramel not permitted by the pharmacopoeial specifications.

Misbranding was alleged for the reason that the statement on the label, "Standard ℞ of Quality", was false and misleading, since it did not meet