

ing in that the article did not consist of ordinary (ethyl) alcohol, and that it was a mixture of isopropyl alcohol, acetone, and water; (b) under the allegations that the package failed to bear upon its label a statement of the quantity or proportion of isopropyl alcohol contained therein, and that the expression on the label "Isopropyl Alcohol 70 Proof" was meaningless.

Adulteration of the article in the shipment made on or about January 11, 1936, was charged under the allegation that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Rubbing Alcohol Compound * * * 35% Isopropyl Alcohol", in that the article did not contain ordinary (ethyl) alcohol and did not contain 35 percent isopropyl alcohol but that it consisted of a mixture of 26.9 percent isopropyl alcohol, acetone, and water.

Misbranding of the article in the shipment made on or about January 11, 1936, was charged (a) under the allegation that the article bore the statement "Rubbing Alcohol Compound", and that said statement was false and misleading in that the article did not consist of ordinary (ethyl) alcohol and that it was a mixture of isopropyl alcohol, acetone, and water; and (b) under the allegation that the package failed to bear upon its label a statement of the quantity or proportion of isopropyl alcohol contained therein, and that the article did not contain 35 percent isopropyl alcohol, but that it did contain 26.9 percent of isopropyl alcohol.

On April 3, 1936, no claimant having appeared in either case, a default decree of condemnation, forfeiture, and destruction was entered in each.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26174. Adulteration and misbranding of Alco-Sponge-Rub Alcohol and Dr. Ward's Rubbing Alcohol. U. S. v. 764 Bottles of Alco-Sponge-Rub Alcohol and Dr. Ward's Rubbing Alcohol. Default decree of condemnation and destruction. (F. & D. no. 37274. Sample nos. 61020-B, 61021-B.)

This case involved an interstate shipment of an article a portion of which was labeled "Alco-Sponge-Rub Alcohol", the remainder of which was labeled "Dr. Ward's Rubbing Alcohol", and which did not contain any ordinary (ethyl) alcohol.

On March 3, 1936, 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 764 bottles of an article at Hartford, Conn., a portion thereof labeled "Alco-Sponge-Rub Alcohol * * * Wilshire Corp., New York", and the remaining portion thereof labeled "Dr. Ward's Rubbing Alcohol * * * Bond Laboratories New York", alleging that it had been shipped in interstate commerce on or about February 1, 1936, by the Rex Merchandise Corporation of America from New York, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Alcohol", since the article did not consist of ordinary (ethyl) alcohol, but consisted of a mixture of isopropyl alcohol, acetone, and water.

The article was alleged to be misbranded in that the statement on the label of a portion of the bottles, "Alco-Sponge-Rub Alcohol", and the statement on the remainder of the bottles, "Dr. Ward's Rubbing Alcohol * * * Customary External Uses of Alcohol", were false and misleading, since the article did not consist of ordinary (ethyl) alcohol, but a mixture of isopropyl alcohol, acetone, and water. The article was alleged to be misbranded further in that the packages failed to bear on their labels a statement of the quantity or proportion of isopropyl alcohol contained therein, since the expression "70 Proof Isopropyl Alcohol" on a portion of the bottles, and the statement "70 Proof Isopropyl" on the remainder of the bottles, were meaningless.

On May 7, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26175. Adulteration and misbranding of pituitary solution. U. S. v. Fifty-three 1-cc Ampoules of "Pituitary Solution, U. S. P." and Seventy-five 1-cc Ampoules of "Pituitary Solution." Default decrees of condemnation and destruction. (F. & D. nos. 37328, 37569. Sample nos. 34635-B, 59423-B.)

These cases involved interstate shipments of articles described as "Pituitary Solution U. S. P." and "Pituitary Solution", which had a potency less than the

minimum potency prescribed for pituitary solution in the United States Pharmacopoeia.

The United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court on March 5, 1936, a libel praying seizure and condemnation of fifty-three 1-cc ampoules of an article labeled "Pituitary Solution U. S. P.", and on April 8, 1936, a libel praying seizure and condemnation of seventy-five 1-cc ampoules of an article labeled "Pituitary Solution" at Los Angeles, Calif., alleging that the articles had been shipped in interstate commerce on or about November 26, 1935, and February 20, 1936, by the Intra Products Co., from Denver, Colo., and that they were adulterated and misbranded in violation of the Food and Drugs Act.

The articles were alleged to be adulterated in that they were sold under a name recognized in the United States Pharmacopoeia, namely, "Pituitary Solution", and they differed from the standard of strength as determined by the test laid down in said pharmacopoeia.

The article was alleged to be misbranded in that the statement, "Pituitary Solution U. S. P." on the label of the article in one case, and the statement, "Pituitary Solution" on the label of the article in the other case, was false and misleading.

On April 8 and May 8, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*