The Orene Hygiene Soap was alleged to be misbranded in that the statements in the labeling falsely and fraudulently represented that it was effective when used in connection with Heal-O-Salve, to relieve discomfort and varieties of open sores, irritated skin, and similar ailments. This product was alleged to be misbranded further in that the statement on the wrappers, "Antiseptic," was false and misleading since it was not an antiseptic.

On November 8, 1939, pleas of guilty were entered on behalf of each of the defendants and the court imposed a fine of $3,499.80 against Lucky Heart Laboratories, Inc., a fine of $1,750.10 against Morris Shapiro, and a fine of $1,750.10 against Ben M. Spears, a total of $7,000.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30966. Adulteration and misbranding of ether. U. S. v. 83 Cans, 129 Cans, and 40 Cans of "Ether U. S. P. 10 * * * (Ethyl Oxide U. S. P. XI)." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 45468, 45469, 45470. Sample Nos. 53689–D, 53690–D, 53692–D.)

Samples of this product were found to contain peroxide, when tested according to the tests laid down in both tenth and eleventh revisions of the United States Pharmacopoeia.

On June 14, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 252 cans of "Ether U. S. P. 10 * * * (Ethyl Oxide U. S. P. XI)" at Chicago, Ill.; alleging that the article had been shipped within the period from on or about February 3, to on or about May 1, 1939, by Merck & Co., Inc., from St. Louis, Mo.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated since it was sold under names recognized in the United States Pharmacopoeia, i. e. "ether" and "ethyl oxide," but differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia and its own standard was not stated on the label. It was alleged to be adulterated further since its strength and purity fell below the professed standard and quality under which it was sold, namely, ether U. S. P. 10.

It was alleged to be misbranded since the statement "Ether U. S. P. 10 * * * (Ethyl Oxide U. S. P. XI)," borne on the label, was false and misleading in that it did not conform to the specifications of the tenth revision of the United States Pharmacopoeia for ether, nor to the specifications of the eleventh revision of the pharmacopoeia for ethyl oxide, since it contained peroxide.

On September 2, 1939, no claimant having appeared, decrees of condemnation, forfeiture, and destruction were entered.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30967. Misbranding of International Colic Medicine and International Chicken Cholera Medicine. U. S. v. International Stock Food Co., Inc., and Erle B. Savage. Pleas of guilty. Fine, $300. (F. & D. No. 40788. Sample Nos. 50524–C, 50525–C.)

The colic medicine contained a smaller proportion of alcohol than that claimed on the label and it also was found to be ineffective against the ailments and conditions for which it was recommended. The chicken cholera medicine was found to be ineffective in the treatment and prevention of cholera in chickens.

On March 7, 1939, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the International Stock Food Co. and Erle B. Savage, of Minneapolis, Minn., alleging shipment by them in violation of the Food and Drugs Act on or about March 13 and June 17, 1937, from Minneapolis, Minn., into the State of Louisiana, of quantities of International Colic Medicine and International Chicken Cholera Medicine that were misbranded.

The colic medicine was alleged to be misbranded in that the statement "contains 18 percent Alcohol," borne on the label and in a printed circular were false and misleading. It was alleged to be misbranded further in that the statements in the labeling regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a treatment for colic, spasmodic colic, gas colic, flatulent colic, kidney colic, bloat, acute indigestion, grain founder or bloat, and stoppage of water; that it was a quick, safe, sure medicine for the treatment of ordinary colic and ordinary acute indigestion,

would neutralize the gases and acids, stop fermentation of the food, restore the stomach and bowels to their normal condition, afford relief from colic as soon as the first symptoms appear and that in the majority of cases of colic it would produce a helpful effect within 10 to 20 minutes after it was administered to the livestock.

The chicken cholera medicine was alleged to be misbranded in that the statements on the label regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective medicinally when used in the treatment of cholera in chickens, and that it was effective to prevent cholera in chickens.

On September 26, 1939, the defendants entered pleas of guilty and were fined $100 jointly on each of the three counts.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30968. Adulteration and misbranding of First Aid Kits. U. S. v. 55½ Dozen Packages and 76 Dozen Packages of First Aid Kits. Product released under bond for relabeling and reconditioning. (F. & D. Nos. 45512, 45513. Sample Nos. 56229–D, 56231–D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination the absorbent cotton in the kits was found to be contaminated with viable micro-organisms.

On June 21, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 131½ dozen packages of First Aid Kits at San Francisco, Calif.; alleging that the article had been shipped on or about July 20, 1938, and April 14, 1939, from New Rochelle, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "White Cross All Purpose First Aid Kit" or "Guardian First Aid Emergency Kit."

It was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, (packages of absorbent cotton) "Sterilized," since the cotton was not sterile but was contaminated with viable micro-organisms.

Misbranding was alleged in that the following statements on the packages were false and misleading when applied to an article which was not sterile: (Absorbent cotton, all cartons) "Sterilized"; (some cartons) "The White Cross of Perfection is your Protection * * * Sterilized after Packaging"; (leaflet enclosed with White Cross All Purpose First Aid Kits) "Absorbent Cotton (Sterilized)."

On August 31, 1939, a claimant having appeared and having filed an answer, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled and reconditioned so as to comply with the Food and Drugs Act.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30969. Adulteration and misbranding of tincture of belladonna leaves, ephedrine inhalant, and elixir of iron, quinine, and strychnine. U. S. v. Bernard Ulman (The National Pharmaceutical Manufacturing Co.). Plea of guilty. Fine, $150. (F. & D. No. 42699. Sample Nos. 34324–D, 34330–D, 34335–D.)

The tincture of belladonna leaves contained alkaloids of belladonna leaf in excess of the amount prescribed in the United States Pharmacopoeia. The Ephedrine Inhalant contained less ephedrine than prescribed by the National Formulary and less than declared on the label. The Elixir Iron, Quinine and Strychnine contained anhydrous quinine and strychnine in excess of the amount prescribed in the National Formulary.

On April 13, 1939, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Bernard Ulman, trading as the National Pharmaceutical Manufacturing Co., Baltimore, Md., alleging shipment by him in violation of the Food and Drugs Act on or about October 12, October 13, and November 9, 1938, from the State of Maryland into the District of Columbia of quantities of the above-named drugs, which were adulterated and misbranded.

The tincture of belladonna leaves was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia but differed from the standard of strength, quality, and purity as determined by the test laid down therein since it yielded not less than 0.041 gram of the