

**5795. Adulteration and misbranding of Marchand's peroxid of hydrogen.**  
**U. S. \* \* \* v. The Drevet Mfg. Co., a corporation. Plea of guilty.**  
**Fine, \$15. (F. & D. No. 8246. I. S. No. 21141-1.)**

On June 19, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drevet Mfg. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on April 18, 1916, from the State of New York into the State of Washington, of a quantity of an article labeled in part, "Marchand's Peroxide of Hydrogen, \* \* \* The Drevet Manufacturing Co., New York, U. S. A.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Hydrogen peroxid (per cent)-----	3.55
Available oxygen (volumes)-----	11.7
Acetanilid (grain per fluid ounce)-----	0.05
Net weight, 1 bottle (ounces)-----	3.54

Adulteration of the article was alleged in the information for the reason that it was sold under the professed standard of strength and purity as follows, to wit: "15 vol H<sub>2</sub>O<sub>2</sub> \* \* \* Hydrogen Dioxide 4.5%," and it fell below the said professed standard of strength and purity under which it was sold.

Misbranding was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "15 vol H<sub>2</sub>O<sub>2</sub>," was false and misleading in that it indicated to purchasers that the article was a peroxid of hydrogen of 15 volume strength, whereas, in truth and in fact, it was not, but was of less strength than 15 volumes; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "Hydrogen Dioxide 4.5%," was false and misleading in that it indicated to purchasers that the article contained 4.5 per cent of hydrogen dioxid, whereas, in truth and in fact, it contained a less quantity than 4.5 per cent thereof; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "It is 50% stronger than the U. S. P. requirements," was false and misleading in that it indicated to purchasers that the article was 50 per cent stronger than peroxid of hydrogen as described in and tested by the requirements laid down in the United States Pharmacopœia, that is to say, the article contained not less than 4.5 per cent of hydrogen dioxid, whereas, in truth and in fact, it was not 50 per cent stronger than peroxid of hydrogen as tested by the requirements of the United States Pharmacopœia and contained less than 4.5 per cent of hydrogen dioxid; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "¼ lb. Bottle," was false and misleading in that it indicated to purchasers that each bottle of the article contained not less than one-fourth of a pound thereof, whereas, in truth and in fact, each bottle of the article did not contain one-fourth of a pound thereof, but contained a less quantity thereof; and for the further reason that although said article contained a quantity of acetanilid, the packages containing the article failed to bear any statement on the labels, or elsewhere, of the quantity, proportion, or existence of said acetanilid.

On July 10, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*