

**17307. Misbranding of Hot Springs Improved Sarsaparilla compound. U. S. v. 36 Bottles, et al., of Hot Springs Improved Sarsaparilla Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 24377 to 24382, incl. I. S. Nos. 026038 to 026043, incl. S. Nos. 2618 to 2623, incl.)**

On December 24, 1929, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 210 bottles of Hot Springs Improved sarsaparilla compound, remaining in the original unbroken packages in part at Gary, Ind., and in part at Indiana Harbor, Ind., alleging that the article had been shipped by the Lauber & Lauber Co., from Chicago, Ill., in various shipments between the dates of September 18, 1929, and November 15, 1929, and transported from the State of Illinois into the State of Indiana, 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 potassium iodide, Rochelle salt, benzoic acid (0.05 per cent), extracts of plant drugs including a laxative drug, alcohol, sugar and water, flavored with oil of sassafras and methyl salicylate.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, borne on the bottle label and on the carton, were false and fraudulent, since the said article contained no ingredients having the curative and therapeutic effects claimed: (Bottle label) "A Reliable Skin and Blood Purifier In all Diseases arising from Impure Blood and Run Down System Highly Recommended for a Speedy Relief from Constipation and Rheumatism \* \* \* For a weak and delicate person, \* \* \* Keep your body clean, eat plenty of nourishing food, get plenty of out-door exercise and take this medicine according to directions and you will be restored to a healthy and vigorous body;" (carton) "A Reliable Skin and Blood Purifier, A Most Valuable Remedy for Pimples, Blotches of Skin, Eczema, Erysipelas, Ulcers, Scrofula, Running Sores, Syphilitic Affections, Liver Troubles, Carbuncles, and all Diseases arising from Impure Blood and Run-Down System. Highly Recommended for a Speedy Relief from Constipation and Rheumatism. \* \* \* Blood Purifier and System Tonic for all Diseases of the Skin and Blood, for a healthy appetite, sound digestion, clear skin and vigorous body."

On March 28, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17308. Adulteration and misbranding of ether. U. S. v. Ninety ¼-Pound Cans of Ether Pro Narcosi. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24409. I. S. No. 029709. S. No. 2651.)**

On January 2, 1930, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of ninety ¼-pound cans of ether, remaining in the original unbroken packages at Des Moines, Iowa, alleging that the article had been shipped by the American Solvents & Chemical Corporation, Albany, N. Y., September 20, 1929, and transported from the State of New York into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopœia and differed in purity from tests laid down in said pharmacopœia, since it contained peroxide. Adulteration was alleged for the further reason that the article was sold under the following standard of purity, (can label) "This ether is especially prepared for Anæsthesia \* \* \* Our ether for anæsthesia does not alone answer all the pharmacopœial requirements but in addition thereto contains no impurities whatever \* \* \* making it in all respects superior \* \* \* to the ether U. S. P. IX Rev.," whereas the purity of the article fell below such professed standard in that it contained peroxide.

Misbranding was alleged for the reason that the following statements on the can label, "This Ether is especially prepared for anæsthesia \* \* \*"