that it had been transported from the State of Maine into the State of Massachusetts, and that it was misbranded 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 linseed oil with small proportions of volatile oils such as peppermint oil, cedar oil, origanum oil, and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For the relief of * * * Croup, Colic, Asthma, * * * Common Sore Throat, Whooping Cough * * * Used externally for Muscular Rheumatism, Lame Back, Chilblains, * * * Fresh Wounds, * * * For Croup * * * For external pains;" (bottle wrapper) "Used for the relief of * * * Croup, Colic, Asthma, * * * Common Sore Throat, Whooping Cough, * * * Muscular Rheumatism, Lame Back, Chilblains, * * * Fresh Wounds;" (circular) "Be prepared for the emergency which may come at any time * * * croup, asthma, common sore throat, * * * and etc. * * * For Croup * * * Common Sore Throat take Ballard's Golden Oil freely as directed, heat and rub throat with the Oil, this will aid to soothe, loosen and heal the effected parts. For Colic take Ballard's Golden Oil as directed, let it help you get rid of the griping pains. For Muscular Rheumatism * * * it is a foe to Inflammation; thousands use and praise it for * * * healing qualities. * * * It Is Wonderful For Children * * * It is highly recommended as an emergency remedy for its loosening, * * * and healing qualities."

On March 30, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19473. Adulteration of tincture aconite. U. S. v. Five 4-Ounce Bottles of Tincture Aconite. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27912. I. S. No. 32838. S. No. 5951.)

Samples of tincture aconite from the shipment herein described having been found to possess a potency not more than two-thirds of that required by the United States Pharmacopoeia for tincture aconite, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On March 12, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five 4-ounce bottles of the said tincture aconite, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Upjohn Co., from Kalamazoo, Mich., on or about February 10, 1932, and had been transported from the State of Michigan into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia, and its own standard of strength was not stated on the container.

On March 28, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19474. Adulteration of ether. U. S. v. 50 Half-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28386. I. S. No. 10837–A.)

Samples of ether from the shipment herein described having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.

On June 9, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 half-pound cans of ether, remaining in the original unbroken pack-

ages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from New York, N. Y., on or about April 30, 1932, and had been transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by tests laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

On June 30, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19475. Misbranding of Fem tonic. U. S. v. 2¼ Dozen Bottles of Fem Tonic. Default decree of destruction entered. (F. & D. No. 26914. I. S. No. 37439. S. No. 5096.)

Examination of a drug product known as Fem tonic, from the shipment herein described having disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for the article in the carton and bottle labels and an accompanying circular, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Arkansas.

On August 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two and one-fourth dozen bottles of the said Fem tonic at Little Rock, Ark., alleging that the article had been shipped by the J. S. Merrell Drug Co., from St. Louis, Mo., on or about June 5, 1931, and had been transported from the State of Missouri into the State of Arkansas, 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 extracts of plant drugs including nux vomica and a laxative drug, a small proportion (0.07 per cent) of salicylic acid, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the bottle and carton labels and in the circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For Women * * * Safe and Beneficial During Pregnancy * * * Recommended for Non-Surgical Cases where it is desired to Tone and Strengthen the Female Organs Correct the conditions commonly known as Painful and Irregular Menstruation and as a palliative for the distress accompanying Menopause (change in life);" (carton) "For Women * * * Recommended for Non-Surgical Cases where it is desired to Tone and Strengthen the Female Organs Correct the conditions commonly known as Painful and Irregular Menstruation and as a palliative for the distress accompanying Menopause (change in life) Safe and Beneficial During Pregnancy * * * is absolutely safe to use during the entire period of pregnancy. It acts as a valuable aid in reducing the pains of labor and promotes speedy recuperation. * * * Especially recommended For Weakness, Disturbed Functions, Leucorrhoea (whites), Scanty, Profuse, Painful and Irregular Menstruation, Distress Accompanying Menopause (change in life), and similar conditions which may be amenable to non-surgical treatment;" (circular) "For Women is designed particularly for that condition commonly known as Female Weakness and may be depended upon to produce blessed relief and benefit in even those cases which nothing else seems to reach. It builds up tones and strengthens the delicate female organs, promoting healthy, vigorous and harmonious activity and helps regulate the functions. It is, therefore, a most dependable internal medicine. For Painful Menstruation including delayed, profuse, scanty and irregular periods: also for the distressing symptoms which accompany the menopause or change of life. Relieves leucorrhoea (whites). During Pregnancy * * * For Women—is not only a safe and dependable medicine but one which will do much toward building up the generative organs, lessening the pains of labor and recuperation after childbirth. For Girls and Young Women who are anemic, weak, nervous, irregular, Fem Tonic for Women—is a blessing. Its strength-building properties which exert a beneficial effect upon the entire system and particularly upon the female organs, produce beneficial results if the directions are followed."