

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2718.

(Given pursuant to section 4 of the Food and Drugs Act.)

U. S. v. 20 Dozen Bottles Peroxide of Hydrogen. Decree of condemnation by consent. Product ordered destroyed.

ADULTERATION AND MISBRANDING OF PEROXIDE OF HYDROGEN.

On December 19, 1912, the United States Attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 dozen bottles of peroxide of hydrogen remaining unsold in the original unbroken packages and in possession of the Lemon & Wheeler Co., Kalamazoo, Mich., alleging that the product had been shipped on or about August 5, 1911, by the Duosep Chemical Co., Chicago, Ill., and transported in interstate commerce from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Duosep Household Peroxide of Hydrogen: pure, potent, harmless. For preservative purposes this bottle contains one grain of Acetanilide. Duosep Household Peroxide is issued to supply the enormous demand for a Peroxide of Hydrogen meeting all the requirements of every usage at a moderate price. Household Peroxide is fifty times stronger or more efficient as a germ preventive or destroyer than Carbolic Acid and is not poisonous. Its use is indicated in every department of the properly conducted home. For the nursey, toilet table, kitchen, laundry, and bath. A preventive against disease and a conservator of health. The original and only Peroxide of Hydrogen; accept no other package. Label registered in U. S. Patent Office. For sale

everywhere. Price 15 cents. Duosep Chemical Company, New York, Chicago, San Francisco.”

Adulteration of the product was alleged in the libel for the reason that it did not conform to the standard of strength prescribed by the United States Pharmacopœia as hereinafter set forth. Misbranding was alleged for the reason that the product was labeled as set forth above, and in and by said label the product was described as peroxide of hydrogen, which said term or designation is synonymous with the term or designation “hydrogen dioxide”, said hydrogen dioxide being an article recognized by the United States Pharmacopœia and required to contain “when freshly prepared about 3 per cent by weight of absolute hydrogen dioxide”, whereas, in truth and in fact, the product contained 1.56 grams of hydrogen dioxide per 100 cubic centimeters.

On May 9, 1913, the Duosep Chemical Co., the Hydrox Chemical Co., and Lemon & Wheeler, claimants, having consented thereto, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 7, 1913.*