

On September 23, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cylinders of nitrous oxide at Chicago Ill.; alleging that the article had been shipped in interstate commerce by the Cheney Chemical Co. from Cleveland, Ohio, within the period from on or about July 16 to on or about August 25, 1938; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article was sold under a name recognized in the United States Pharmacopoeia, namely, nitrous oxide, but differed from the standard of strength, quality, and purity as determined by the tests laid down in the pharmacopoeia, and its own standard of strength, quality, and purity was not stated on the label.

On December 5, 1938, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed and that the cylinders be turned over to the Cheney Chemical Co.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30029. Misbranding of Sic'em Wonder Conditioner For Dogs. U. S. v. 41 Jars of Sic'em Wonder Conditioner For Dogs. Default decree of condemnation and destruction. (F. & D. No. 43956. Sample No. 39536-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On October 5, 1938, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 jars of the above-named drug product at Portland, Oreg.; alleging that the article had been shipped in interstate commerce on or about September 2, 1938, by the Kennel Owners Supply Co. from San Bruno, Calif.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of anhydrous sodium acetate.

Misbranding was alleged in that the jar label, carton, and a leaflet shipped with the article contained false and fraudulent representations regarding its curative and therapeutic effectiveness as a conditioner and wormer for dogs, cats, and foxes; as a treatment for hookworms, roundworms, tapeworms, and whipworms; and as a treatment for dry, itchy skin, scraggly coat, dull expression of eyes, listless attitude, inconsistent appetite, eating dirt or filth, foul breath, warm nose, straining at bowel action, rubbing hind parts along ground to relieve rectal itching, passing mucus or actual passage of worms or parts in the feces, distended belly, and twitching or jerking in sleep.

On November 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30030. Misbranding of rubbing alcohol, witch hazel, sweet spirits of niter, Russian oil, and cod liver oil. U. S. v. 23, 33, and 45 Bottles of Rubbing Alcohol (and 4 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 44340 to 44344, inclusive. Sample Nos. 35716-D, 35719-D, 35720-D, 35747-D to 35751-D, inclusive.)

These products were short of the volume declared on the labels.

On November 14, 1938, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 101 bottles of rubbing alcohol, 12 bottles of witch hazel, 33 bottles of sweet spirits of niter, 33 bottles of Russian oil, and 44 bottles of cod liver oil at Nashua, N. H.; alleging that the articles had been shipped in interstate commerce in part on or about September 13, 1938, and in part on or about October 18, 1938, by M. S. Walker, Inc., from Boston, Mass.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the following statements on the labels of the respective products, (rubbing alcohol) "Contents 16 Fl. Oz." and "Full Pint," (witch hazel) "Contents: 8 Fluid Ounces," (sweet spirits of niter) "1 Fl. Oz.," (Russian oil) "16 fl. oz.," and (cod liver oil) "16 fl. oz.," were false and misleading when applied to articles that were short volume.

On December 14, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*