20920. Adulteration and misbranding of Pyrodento. U. S. v. 5 Dozen and 7½ Dozen Packages of Pyrodento. Consent decree of condemnation and forfeiture. Product released under bond for salvaging bottles. (F. & D. no. 29746. Sample nos. 20975–A, 20976–A.)

This action involved an interstate shipment of a product, known as Pyrodento, that was sold as an oral antiseptic. Bacteriological examination showed that the article was not an antiseptic when used as directed on the labeling.

On January 13, 1933, 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 a libel praying seizure and condemnation of 5 dozen 6-ounce packages and 7½ dozen 16-ounce packages of Pyrodento at New York, N. Y., alleging that the article had been shipped in interstate commerce, in various shipments, on or about March 3, September 10, and December 8, 1932, by the Pyrodento Co., from Baltimore, Md., 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 it consisted essentially of small proportions of saccharin, benzoic acid and volatile oils including menthol, thymol, cassia oil and clove oil, alcohol (18.4 percent by volume), and water. Bacteriological examination showed that the article was not antiseptic when used as directed.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, namely, "Antiseptic."

Misbranding was allegel for the reason that the following statements appearing on the labeling were false and misleading: (Carton) "A Liquid Antiseptic"; (package) "A Liquid Antiseptic * * * As an Antiseptic, the Liquid should be used full strength"; (circular) "Pyrodento Liquid Antiseptic * * * Pyrodento Liquid Antiseptic is an effective mouth wash * * * Used as a gargle or spray, * * * The use of Pyrodento Liquid Antiseptic as a mouth wash * * * is recommended."

On April 3, 1933, the Pyrodento Co., Baltimore, Md., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of $100, conditioned that the contents and labels of the bottles be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20921. Adulteration of ether. U. S. v. Eight 5-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29748. Sample no. 26152–A.)

This case involved an interstate shipment of ether, samples of which were found to contain peroxide, a decomposition product.

On January 11, 1933, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of eight 5-pound cans of ether at Portland, Oreg., consigned by the Mallinckrodt Chemical Works, St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 27, 1931, from St. Louis, Mo., to Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ether for Anaesthesia."

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, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the label.

On April 27, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20922. Adulteration of Acme Medicated stock salt. U. S. v. 25 Containers of Stock Salt. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29909. Sample no. 26997–A.)

This case involved an interstate shipment of stock salt, returned by the consignee, the labels of which declared yeast to be one of the ingredients. Analysis showed that the article contained no appreciable amount of yeast.