

ALLEGED SHIPMENT: On or about April 28 and August 9, 1945, from the State of California into the States of Washington and Arizona.

LABEL, IN PART: "Hormo-Fen (Female Hormone) 2,000 International Units Per Capsule," or "Hormo-Gen (Male Hormone) 10 Capon Units Per Capsule."

NATURE OF CHARGE: *Hormo-Fen.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, since each capsule of the article was represented to contain 2,000 International Units of estrogenic substance, whereas each capsule contained less than 2,000 International Units of estrogenic substance. Misbranding, Section 502 (a), the label statement, "Each capsule contains 2,000 International Units of Estrogenic Substance," was false and misleading. Further misbranding, Section 502 (e), the article was not designated solely by a name recognized in an official compendium, it was fabricated from 2 or more ingredients, and its label failed to bear the common or usual name of each active ingredient. The label designation "Estrogenic Substance" is not the common or usual name of any particular active ingredient, but is a generic name for a class of substances.

Hormo-Gen. Misbranding, Section 502 (a), the label statement, "Hormo-Gen (Male Hormone) * * * To support androgenic parenteral or inunction therapy in hypogonadism in the male and the male climacteric," was false and misleading in that the article would not be efficacious for such purposes.

The information contained also charges of adulteration and misbranding of Nova-Tron Capsules, Mina-Vita Tablets, and Vita-Health Tablets under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: February 18, 1947, the defendants having entered pleas of not guilty, the case came on for trial before the court. After consideration of the evidence and arguments of counsel, the court returned a verdict of not guilty, and the information was ordered dismissed.

2106. Adulteration and misbranding of vitamin B complex and misbranding of Ov hormone. U. S. v. The Alpinol Corporation, Louis Rubella, and Ugo Quarantelli. Pleas of guilty. Fine of \$2,000 against the defendants, jointly. (F. D. C. No. 17827. Sample Nos. 4457-H, 4460-H, 16551-H.)

INFORMATION FILED: July 22, 1946, Southern District of New York, against the Alpinol Corporation, New York, N. Y., and Louis Rubella, president, and Ugo Quarantelli, secretary-treasurer, of the corporation.

ALLEGED SHIPMENT: On or about March 27 and April 17 and 30, 1945, from the State of New York into the States of Pennsylvania and Illinois.

PRODUCT: The product labeled "Vitamin B Complex" was devoid of thiamine and riboflavin, two of the vitamin constituents declared on the label. It had the characteristics of an oil, being immiscible with water. Substances immiscible with water may cause serious consequences if injected intravenously. The product was apparently a hormone in oil solution, to which had been applied the label of a different product.

LABEL, IN PART: "Vitamin B Complex No. 2 * * * Intramuscular Intravenous * * * Distributed by D. F. Strohm Upper Darby, Pa.;" "Ov hormone 10,000 I. U. * * * Distributed by Edgar Metz Lansdowne, Pa.," or "Ov hormone 30,000 I. U. * * * Distributed By The National Colloid Co. Chicago, Ill."

NATURE OF CHARGE: *Vitamin B Complex.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess. It was represented to contain in each cubic centimeter 20 milligrams of thiamine hydrochloride and 1 milligram of riboflavin, whereas it contained no thiamine hydrochloride or riboflavin. Misbranding, Section 502 (a), the labeling of the article was misleading in that the label statement "Intravenous" represented and suggested that the article was for intravenous use, and the labeling failed to reveal the material fact with respect to the consequences which may result from the use of the article under the conditions of use prescribed in its labeling, i. e., intravenously.

Ov hormone. Misbranding, Section 502 (a), the label statement, "Contains * * * Estrogenic Hormone derived from gravid mare's urine," was false and misleading since it represented and suggested that the estrogenic substance present in the article was estrogenic substance as it occurs in and is extracted from gravid mare's urine, whereas the estrogenic substance present

was not estrogenic substance as it occurs in and is extracted from gravid mare's urine.

DISPOSITION: September 6, 1946. Pleas of guilty having been entered, the court imposed a fine of \$500 against the defendants jointly, on each of the 4 counts of the information.

2107. Adulteration and misbranding of sodium morrhuate and misbranding of estrogenic substance. U. S. v. Estro Chemical Co., Inc., Joachim Ansel, and Morton G. Falk. Pleas of guilty. Estro Chemical Co., Inc., fined \$1,000; Joachim Ansel, \$500; and Morton G. Falk, \$750. (F. D. C. No. 16596. Sample Nos. 54693-F, 87020-F, 4071-H.)

INFORMATION FILED: March 27, 1947, Southern District of New York, against the Estro Chemical Co., Inc., New York, N. Y., Joachim Ansel, and Morton G. Falk.

ALLEGED SHIPMENT: On or about October 2 and November 27, 1944, and February 8, 1945, from the State of New York into the States of Illinois, Michigan, and Pennsylvania.

LABEL, IN PART: "Sodium Morrhuate 5%," or "Estrogenic Substance."

NATURE OF CHARGE: *Sodium morrhuate.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since it purported and was represented to contain 5 percent of sodium morrhuate, but contained a small amount. Misbranding, Section 502 (a), the statement "Sodium Morrhuate 5%" borne on the label was false and misleading.

Estrogenic substance. Misbranding, Section 502 (a), the statement "Containing Estrone and Estradiol derived from natural sources" on the label of one lot, and the statement "This is a mixture of natural estrogens containing estrone and estradiol" on the label of the other lot were false and misleading since the article did not contain any estrone.

DISPOSITION: April 3, 1947. Pleas of guilty having been entered, the corporation was fined \$1,000; Joachim Ansel, \$500; and Morton G. Falk, \$750.

2108. Adulteration and misbranding of rubbing compound and mouth wash. U. S. v. Lloyd Johnson (Lura-Glo Laboratories). Defendant's motion to dismiss denied. Plea of nolo contendere. Fine, \$1,100. (F. D. C. No. 17876. Sample Nos. 25549-H, 27251-H, 27822-H, 36220-H.)

INFORMATION FILED: June 11, 1946, Southern District of California, against Lloyd Johnson, trading as the Lura-Glo Laboratories, Oakland, Calif.

ALLEGED SHIPMENT: Between the approximate dates of January 2, 1945, and July 8, 1945, from the State of California into the States of Utah, Washington, Oregon, and Idaho.

LABEL, IN PART: "LG Rubbing Compound Isopropyl Alcohol 70% by Volume," or "LG Antiseptic Mouth Wash An excellent aid for the relief of sore throat, sore mouth * * * sore gums."

NATURE OF CHARGE: *Rubbing Compound.* Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess in that it was represented to contain 70 percent by volume of isopropyl alcohol, but contained a smaller amount. Misbranding, Section 502 (a), the label statement, "Isopropyl Alcohol 70% by Volume," was false and misleading.

Antiseptic Mouth Wash. Adulteration, Section 501 (c), its strength differed from and its quality fell below that which it was represented to possess. The article was represented to be an antiseptic, but was not an antiseptic within the meaning of Section 201 (c), since it was not a germicide when used in the dilution recommended in the labeling; and it did not purport to be and was not represented as an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or such other use as involves prolonged contact with the body. Misbranding, Section 502 (a), the label statement, "Antiseptic," was false and misleading; the label statement, "Contains * * * 5% Alcohol," was false and misleading since the article contained more than 5 percent of alcohol; and the label statement, "Aid for the relief of sore throat, sore mouth * * * sore gums," was false and misleading since the article would not be an effective treatment for sore throat, sore mouth, and sore gums.

DISPOSITION: October 15, 1946. The defendant's motion to dismiss having been denied, a plea of nolo contendere was entered and the court imposed a fine of \$1,100.