on the grounds that the defendants could not be criminally liable for the acts of third parties or for an act in which the defendants did not participate. The defendants' motion was denied by the court on April 21, 1947. Thereafter, a plea of nolo contendere was entered on behalf of the defendants, and on September 15, 1947, the court imposed a fine of $1,000 against each defendant.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

2364. Adulteration and misbranding of Met-Estrin. U. S. v. Metropolitan Laboratories, Inc., and Rudolph N. Price. Pleas of guilty. Fine, $500 against defendants jointly. (F. D. C. No. 17856. Sample Nos. 6027–H, 6028–H, 16540–H.)

INFORMATION FILED: January 21, 1948, Southern District of New York, against the Metropolitan Laboratories, Inc., New York, N. Y., and Rudolph N. Price, president of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of January 23 and April 10, 1945, from the State of New York into the States of New Jersey and Illinois.

LABEL, IN PART: "Metro Met-Estrin (Estrogenic Substance)."

NATURE OF CHARGE: Adulteration, Section 501 (d), an oil solution of estradiol with insignificant amounts of estrone or other ketosteroids had been substituted in whole or in part for a mixture of natural estrogens derived from pregnancy urine, which the article purported and was represented to be.

Misbranding, Section 502 (e) (2), the article was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient, since the label designation "Estrogenic Substance" is not the specific name of any particular substance but is a generic name for a class of substances.

DISPOSITION: April 6, 1948. Pleas of guilty having been entered, the court imposed a fine of $500 against the defendants jointly.

2365. Adulteration and misbranding of Thionicavin No. 2. U. S. v. Chicago Pharmacal Co. and Chester H. Taylor and William B. Taylor, Jr. Pleas of guilty. Fine, $1,000. (F. D. C. No. 23217. Sample Nos. 57491–H, 64989–H.)

INFORMATION FILED: September 9, 1947, Northern District of Illinois, against the Chicago Pharmacal Co., a corporation, Chicago, Ill., and Chester H. Taylor, president, and William B. Taylor, Jr., secretary and treasurer, of the corporation.

ALLEGED SHIPMENT: On or about September 9 and 10, 1946, from the State of Illinois into the States of Vermont and New York.

LABEL, IN PART: "Sterile Solution No. 54B Thionicavin No. 2 For Intramuscular or Intravenous Use Multiple Dose Package."

NATURE OF CHARGE: Adulteration, Section 501 (d), a product containing estradiol in sesame oil had been substituted for a product containing thiamine hydrochloride, riboflavin, pyridoxine hydrochloride, nicotinamide, urea, and redistilled water, which the article purported and was represented to be.

Misbranding, Section 502 (a), the labels of the article represented and suggested that the article was suitable for intravenous use; that each cubic centimeter of the article contained 100 milligrams of thiamine hydrochloride, 5 milligrams of riboflavin, 2.5 milligrams of pyridoxine hydrochloride, 100 milligrams of nicotinamide, 100 milligrams of urea, 10 milligrams of benzyl alcohol, and redistilled water sufficient to make one cubic centimeter; that the article was suitable for use in correcting and preventing beriberi, pellagra, and anorexia, in securing optimal growth of infants and children, in impaired lactation, in pernicious vomiting of pregnancy, and in deficiencies of the B vitamins; and that one cubic centimeter of the article contained about fifty times the thiamine, two times the riboflavin, and five and one-half times the nicotinamide daily optimum adult intake. The article consisted of estradiol in sesame oil and was not suitable for intravenous use; it did not contain thiamine hydrochloride, riboflavin, pyridoxine hydrochloride, nicotinamide, urea, and redistilled water; it was not suitable for use for the purposes represented; and it would not furnish any thiamine, riboflavin, and nicotinamide.

DISPOSITION: October 7, 1947. Pleas of guilty having been entered on behalf of all defendants, the court imposed a fine of $1,000 and costs and ordered that the fine be paid by the corporation.