

4324. Adulteration and misbranding of trional tablets, hydrastis, and acetanilid tablets. U. S. v. Independent Pharmaceutical Co. Plea of nolo contendere. Fine, \$25. (F. & D. Nos. 4219, 4260, 4728. I. S. Nos. 13319-d, 13317-d, 13320-d.)

On March 19, 1914, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Independent Pharmaceutical Co., a corporation, Worcester, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on January 13, 1912, from the State of Massachusetts into the State of Rhode Island, of quantities of trional tablets, hydrastis, and acetanilid tablets which were adulterated and misbranded. The trional tablets were labeled: (On bottle) "Compressed tablets. No. 2081. Guaranteed by Independent Pharmaceutical Co. under Food and Drugs Act, June 30, 1906, 200 Trional, 5 gr. Independent Pharmaceutical Co., Worcester, Mass., 2157 21." The hydrastis was labeled: (On bottle) "Fluid extract of Golden Seal (*Hydrastis Canadensis*.) (Assays 2.5 per cent Hydrastine.) Common names, Yellow Root, Indian Tumeric, Yellow Puccoon, Medicinal properties, Tonic, Alterative, Antiseptic. Dose 10 to 30 minims. Tincture of Golden Seal. Take of Fl. Ext. Golden Seal 2 fl. oz., Dilute Alcohol 8 fl. oz., Mix. Dose: One-half to one Teaspoonful. Elixir of Golden Seal: Take of Fl. Ext. Golden Seal 1 fl. oz., Aromatic Elixir 7 fl. oz., Mix. Dose: Teaspoonful. This preparation contains 57 per cent Alcohol. No. 2081. Guaranteed by Independent Pharmaceutical Co., under Food and Drugs Act, June 30, 1906. Manufactured by Independent Pharmaceutical Co., Worcester, Mass. Office and Laboratory, No. 9, May Street." The acetanilid tablets were labeled: "Tablet No. 2081. Guaranteed by Independent Pharmaceutical Co. under Food and Drugs Act, June 30, 1906. 200 Acetanilid 1 gr. Independent Pharmaceutical Co., Worcester, Mass."

Analysis of a sample of the trional tablets by the Bureau of Chemistry of this department showed the following results:

50 tablets weighed	(grams)	18.295
Trional found:		
(1)	(per cent)	48.3
(2)	(per cent)	48.0
(3)	(per cent)	48.2
Trional per average tablet	(grains)	2.721
Shortage	(per cent)	45.6

Analysis of a sample of the hydrastis by the Bureau of Chemistry of this department showed the following results:

Hydrastine	(gram per 100 cc)	0.68
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Analysis of a sample of the acetanilid tablets by the Bureau of Chemistry of this department showed the following results:

50 tablets weighed	(grams)	4.241
Acetanilid found:		
(1)	(per cent)	64.92
(2)	(per cent)	64.62
Acetanilid per average tablet	(grain)	0.848
Shortage	(per cent)	15.2

Adulteration of the products was alleged in the information for the reason that the strength and purity of said drugs fell below the professed standard and quality under which said drugs were sold; that is to say, said drugs were labeled, represented, and purported to contain 5 grains per tablet of trional,

2.5 per cent hydrastine, and 1 grain of acetanilid per tablet, respectively, whereas, in truth and in fact, said drugs contained much less than 5 grains trional, much less than 2.5 per cent of hydrastine, and much less than 1 grain of acetanilid per tablet.

Misbranding of the trional and acetanilid tablets was alleged for the reason that the packages and labels thereof bore certain statements, designs, and devices, regarding said drugs and the ingredients and substances therein contained, which were false and misleading; that is to say, the words and figures "Compressed tablets" and "200 Trional 5 gr." and "Acetanilid 1 gr." respectively, in that said statements, designs, and devices, consisting of said words and figures, would lead a purchaser to believe that said drugs contained 5 grains per tablet of trional, or 1 grain of acetanilid per tablet, respectively, whereas, in truth and in fact, said drugs did not contain 5 grains of trional or 1 grain of acetanilid per tablet. Misbranding of the hydrastis was alleged for the reason that the package and label thereof bore a certain statement, design, and device, regarding said drug and the substances and ingredients contained therein, which was false and misleading; that is to say, the words and figures as follows: "Assays 2.5 per cent Hydrastine," which appeared thereon, would lead a purchaser to believe that said drug contained 2.5 per cent hydrastine, whereas, in truth and in fact, it did not contain said amount, but contained a much less amount of said hydrastine.

On October 14, 1915, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*