

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1799.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF NITROGLYCERIN TRITURATES.

At the May, 1912, term of the District Court of the United States for the District of Indiana the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against the Lafayette Pharmacal Co., a corporation, Lafayette, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on July 19, 1911, from the State of Indiana into the State of Michigan, of a quantity of Nitroglycerin Triturates which were adulterated and misbranded. The product was labeled: "500 tablet Triturates Nitroglycerine 1/100 Gr. Lafayette Pharmacal Co., Manufacturing Chemists, Lafayette, Ind. Guaranty No. 6791."

An analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Nitroglycerin per tablet, 0.004 grain. Adulteration was charged in the indictment for the reason that the strength of the product fell below the professed standard under which it was sold, the standard under which it was sold being one one-hundredth grain nitroglycerin tritirates as declared on the label, whereas, in truth and in fact, the tablets did not contain one one-hundredth grain nitroglycerin per tablet, as declared on the label, but did contain 0.004 grain nitroglycerin per tablet. Misbranding was alleged for the reason that the statement "1/100 gr. nitroglycerin tritirates," printed and apparent upon the label of the product regarding it, was false and misleading in that it conveyed the impression that each tablet contained one one-hundredth grain nitroglycerin, whereas, in truth and in fact, it did not contain one one-hundredth grain nitroglycerin per tablet but a much less amount, to wit, 0.004 grain nitroglycerin.

On May 28, 1912, the defendant company entered a plea of guilty to the indictment and the court imposed a fine of \$50 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 4, 1912.*

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