

persistent coughs in Bronchitis and Catarrhal conditions caused by the germ laden mucous from the nasal passages running down in the throat and producing a severe coughing spell especially at night when lying down. Put two teaspoonfuls of the Mistura Creosote Comp. and ten tablespoonfuls of water in a bottle and mix well. One tablespoonful of this mixture swallowed slowly when a coughing spell comes on will give prompt relief," (carton) "For the treatment of Phthisis. It is especially valuable in Bronchitis, Influenza, and Chronic Coughs \* \* \* in the treatment of Phthisis and all affections of the Bronchial Tubes \* \* \* defertilizes the lung tissue and renders it an unfavorable soil for the growth and development of micro-organism. \* \* \* Digestive processes are strengthened \* \* \* In Chronic Coughs and Pleurisy, pains following Grip, it has been found valuable," in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 23, 1929, by consent of the claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16399. Adulteration and misbranding of atropine sulphate tablets, acetphenetidn tablets, quinine sulphate tablets, cocaine hydrochloride tablets, nitroglycerin tablets, phenylcinchoninic acid tablets, tincture cinchona compound, tincture of aconite, calomel and phenolphthalein tablets, arsenous acid tablets, and tablets Bland modified, and adulteration of pituitary extract. U. S. v. The Pharmacal Products Co. (Inc.). Plea of nolo contendere. Fine, \$60 and costs. (F. & D. No. 22568. I. S. Nos. 5926-x, 5927-x, 5928-x, 5933-x, 5936-x, 13678-x, 13680-x, 13682-x, 13684-x, 13688-x, 13690-x, 13825-x, 16027-x, 16028-x.)**

On July 10, 1928, the United States attorney for the District of Maryland, 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 Pharmacal Products Co. (Inc.), Easton, Md., alleging shipment by said company, in violation of the food and drugs act, on or about September 10, 1926, from the State of Maryland into the State of Pennsylvania, of a quantity of pituitary extract which was adulterated, and of quantities of nitroglycerin tablets, quinine sulphate tablets, phenylcinchoninic acid tablets, tincture cinchona compound, and tincture of aconite, which were adulterated and misbranded; on or about November 25, 1926, from the State of Maryland into the State of New Jersey, of quantities of calomel and phenolphthalein tablets, arsenous acid tablets, and Bland modified tablets; and on or about January 26, 1927, from the State of Maryland into the State of New York, of quantities of atropine sulphate tablets, acetphenetidn tablets, quinine sulphate tablets, cocaine hydrochloride tablets, and nitroglycerin tablets, which were adulterated and misbranded. The articles were labeled in part, variously: "Atropine Sulphate 1-100 Gr. Pharmacal Products Co. Manufacturing Pharmacists Easton, Maryland;" "Compressed Tablets Acetphenetidn 1-Gr.;" "Compressed Tablets \* \* \* Quinine Sulphate \* \* \* 2 Grains;" "Moulded Tablets Cocaine Hydrochloride 1.14 gr. each;" "Soluble Hypodermic Tablets Nitroglycerin 1/50 Grain;" "Compressed Tablets Nitroglycerine 1/100 Grain;" "Compressed Tablets \* \* \* Quinine Sulphate 5 Grains;" "Compressed Tablets Phenylcinchoninic Acid 7½ Grs.;" "Tincture Cinchona Compound U. S. P. \* \* \* 100 mils contain from 0.4 gm., to 0.5 gm., Alkaloids of Cinchona;" "Ampoules Pituitary Extract (Obstetrical);" "Tincture of Aconite Tinctura Aconiti U. S. P.;" "Compressed Tablets Calomel and Phenolphthalein Calomel 1-10 gr., Phenolphthalein 1-10 gr.;" "Compressed Tablets Arsenous Acid 1-30 Grain;" "Compressed Tablets No. 1140 Bland Modified \* \* \* Arsenous Acid 1-40 gr."

Adulteration of the said tablets was alleged in substance in the information, for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of the said atropine sulphate tablets was represented to contain 1/100 grain of atropine sulphate, whereas each of said tablets contained less than so represented, to wit, not more than 0.00685 grain, i. e., 1/150 grain of atropine sulphate; each

of said acetphenetidin tablets was represented to contain 1 grain of acetphenetidin, whereas each of said tablets contained less than so represented, to wit, not more than .872 grain, i. e., less than  $\frac{9}{10}$  grain of acetphenetidin; each of said quinine sulphate tablets was represented to contain 2 grains or 5 grains of quinine sulphate, as the case might be, whereas each of said tablets contained less quinine sulphate than so represented, to wit, in the former, not more than 0.754 grain, i. e., approximately  $\frac{3}{4}$  grain of quinine sulphate, and in the latter not more than 3.65 grains, i. e.,  $3\frac{2}{3}$  grains of quinine sulphate; each of said cocaine hydrochloride tablets was represented to contain 1.14 grains of cocaine hydrochloride, whereas each of said tablets contained less than so represented, to wit, not more than 0.933 grain, i. e., approximately  $\frac{9}{10}$  grain of cocaine hydrochloride; each of said nitroglycerin tablets was represented to contain  $\frac{1}{50}$  grain of nitroglycerin or  $\frac{1}{100}$  grain of nitroglycerin, as the case might be, whereas each of said tablets contained less than so represented, to wit, in the former, not more than 0.0130 grain, i. e., approximately  $\frac{1}{77}$  grain of nitroglycerin, and in the latter, not more than 0.00622 grain, i. e., approximately  $\frac{1}{160}$  grain of nitroglycerin; each of said phenylcinchoninic acid tablets was represented to contain  $7\frac{1}{2}$  grains of phenylcinchoninic acid, whereas each of said tablets contained less than so represented, to wit, not more than 6.558 grains, i. e.,  $6\frac{3}{5}$  grains of phenylcinchoninic acid; each of said calomel and phenolphthalein tablets was represented to contain  $\frac{1}{10}$  grain of calomel and  $\frac{1}{10}$  grain of phenolphthalein, whereas each of said tablets contained less of said products than so represented, to wit, not more than 0.0779 grain, i. e., approximately  $\frac{1}{13}$  grain of calomel, and not more than 0.086 grain, i. e., approximately  $\frac{1}{12}$  grain of phenolphthalein; each of said arsenous acid tablets was represented to contain  $\frac{1}{30}$  grain of arsenous acid, whereas each of said tablets contained less than so represented, to wit, not more than 0.0257 grain, i. e.,  $\frac{1}{39}$  grain of arsenous acid; and each of said Blaud modified tablets was represented to contain  $\frac{1}{40}$  grain of arsenous acid, whereas each of said tablets contained less than so represented, to wit, not more than 0.0201 grain, i. e., approximately  $\frac{1}{50}$  grain of arsenous acid. Adulteration of the tincture cinchona compound, the pituitary extract, and the tincture of aconite, was alleged for the reason that the said articles were sold under and by names recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopœia official at the time of investigation of the articles, in that the said tincture cinchona compound yielded less than 0.4 gram of the alkaloids of cinchona per 100 mils, to wit, not more than 0.345 gram of the alkaloids of cinchona per 100 mils, whereas said pharmacopœia provided that compound tincture cinchona yield not less than 0.4 gram of the alkaloids of cinchona per 100 mils; 1 cubic centimeter of the pituitary extract had an activity upon the isolated uterus of the virgin guinea pig corresponding to more than 120 per cent, to wit, not less than 150 per cent of that produced by 0.005 gram of standard powdered pituitary, whereas said pharmacopœia provided that 1 cubic centimeter of solution of pituitary, that is to say, pituitary extract, should have an activity upon the isolated uterus of the virgin guinea pig corresponding to not more than 120 per cent of that produced by 0.005 gram of standard powdered pituitary; and the said tincture of aconite required more than 0.00045 cubic centimeters for each gram of body weight of guinea pig, when administered subcutaneously as a minimum lethal dose, to wit, 0.00160 cubic centimeters for each gram body weight of guinea pig, whereas said pharmacopœia provided that tincture of aconite, when administered subcutaneously to guinea pigs as a minimum lethal dose should require not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig; and the standard of strength, quality, and purity of the said articles was not declared on the containers thereof.

Misbranding of the said tablets was alleged for the reason that the statements, to wit, "Atropine Sulphate 1-100 Gr.," "Tablets Acetphenetidin 1-Gr.," "Tablets \* \* \* Quinine Sulphate \* \* \* 2 Grains," "Tablets Cocaine Hydrochloride 1.14 gr. each," "Tablets Nitroglycerin  $\frac{1}{50}$  Grain," "Tablets Nitroglycerin  $\frac{1}{100}$  Grain," "Tablets \* \* \* Quinine Sulphate 5 Grains," "Tablets Phenylcinchoninic Acid  $7\frac{1}{2}$  Grs.," "Tablets Calomel 1-10 gr. Phenolphthalein 1-10 gr.," "Tablets Arsenous Acid 1-30 Grain," "Tablets \* \* \* Arsenous Acid 1-40 gr.," borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained the amount of said product

declared on the label thereof, whereas the said tablets in each instance, contained less of the said product than declared on the label. Misbranding was alleged with respect to the said tincture cinchona compound and the tincture of aconite for the reason that the statements, to wit, "Tincture Cinchona Compound U. S. P." and "100 mils contains from 0.4 gm., to 0.5 gm., Alkaloids of Cinchona," with respect to the former and the statements, "Tincture of Aconite Tincture Aconiti U. S. P.," with respect to the latter, borne on the labels, were false and misleading in that the said statements represented that the articles conformed to the tests laid down in the United States Pharmacopoeia, and that the former contained no less than 0.4 gram of alkaloids of cinchona in 100 mils, whereas the said articles did not conform to the tests laid down in the said pharmacopoeia, and the said tincture cinchona compound contained less than 0.4 gram of the alkaloids of cinchona in 100 mils.

On February 14, 1929, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$60 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16400. Misbranding of Ampeco laxative cold tablets. U. S. v. 3 Dozen Packages of Ampeco Laxative Cold Tablets. Default decree of condemnation and destruction entered. (F. & D. No. 23854. I. S. No. 114269. S. No. 1745.)**

On April 6, 1929, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen packages of Ampeco laxative cold tablets, remaining in the original unbroken packages at Claremont, N. H., alleging that the article was shipped by the American Drug Sales Co., from Boston, Mass., on or about November 22, 1928, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1 grain per tablet), capsicum, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the packages of the said article failed to bear a statement on the labels of the quantity or proportion of acetanilide contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of said article, borne on the labels, (carton) "Will relieve LaGrippe \* \* \* They arouse the liver and secretions, \* \* \* This \* \* \* is \* \* \* followed by \* \* \* relief from \* \* \* LaGrippe \* \* \* for Coughs \* \* \* LaGrippe \* \* \* Malarial Affections, etc.," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 24, 1929, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*