

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17901-17925

[Approved by the Secretary of Agriculture, Washington, D. C., June 12, 1931]

17901. Adulteration and misbranding of tablets containing phenacetin, aspirin, and caffeine alkaloid. U. S. v. 6 Cans, Each Containing 5,000 Tablets of an Article of Drug. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25815. I. S. No. 15621. S. No. 4041.)

Examination of the herein-described drug tablets having shown that they contained less phenacetin than represented by the label, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On January 24, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six cans, each containing 5,000 tablets of an article of drugs labeled in part, "Phenacetin 3½ Grs., Aspirin 3½ Grs., Caffeine Alk. ½ Gr.," remaining in the original and unbroken packages at Barrington, N. J., alleging that the article had been shipped by the Llewellyn Laboratories (Inc.), Philadelphia, Pa., on or about December 1, 1930, and had been transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the tablets contained acetylsalicylic acid (3.3 grains per tablet), acetphenetidin (2.7 grains per tablet), and caffeine (0.46 grain per tablet).

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statement on the label, "Phenacetin 3½ Grs.," was false and misleading.

On March 5, 1931, no claimant having appeared for the property, 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.*

17902. Misbranding of Prescription No. 3913. U. S. v. 5½ Dozen Bottles of Prescription No. 3913. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25646. I. S. No. 9833. S. No. 3912.)

Examination of a sample of a drug product, known as Prescription No. 3913, from the herein-described shipment having shown that the labeling bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On January 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 5½ dozen bottles of the said Prescription No. 3913, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by C. H. Platt, from New York, N. Y., on or about October 24, 1930, and transported from the State of New York into the State of Maryland, 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 consisted essentially of potassium iodide, colchicine, extracts of plant drugs including sarsaparilla, alcohol, sugar, and water, flavored with sassafras oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing