

of the United States for the district aforesaid two informations against Geo. M. Beringer, Inc., Camden, N.J., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of New Jersey into the State of Pennsylvania, on or about March 30, 1931, of a quantity of pancreas compound capsules, and on or about November 5, 1931, of a quantity of ergot ampuls, which said products were adulterated. The bottle containing the pancreas compound capsules was labeled in part: "Capsules No. 160 Pancreas Compound, Special Anti-Diabetic Capsules (Beringer) Each Capsule Contains: * * * Arsenic Bromide 1/100 grain * * * George M. Beringer, Inc. Manufacturing Pharmacists * * * Camden, N. J." The cartons containing the ergot ampuls were labeled in part: "1 c.c. Ampoules No. 12 Ergot, Sterile 30 grs. (1.94 gm.) Selected Ergot."

Adulteration of the said pancreas compound capsules was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each capsule was represented to contain one one hundredth of a grain of arsenic bromide, whereas each capsule contained less arsenic bromide than so represented, namely, not more than 0.000227 grain, i. e., one forty-four hundredth of a grain of arsenic bromide. Adulteration of the ergot ampuls was alleged for the reason that the article fell below the professed standard and quality under which it was sold in that the article was represented to contain in each cubic centimeter the physiological potency of 30 grains (1.94 gram) of selected ergot, whereas each cubic centimeter contained less than one fourth of the potency of 30 grains (1.94 gram) of selected ergot.

On October 6, 1932, a plea of guilty to each information was entered on behalf of the defendant company, and the court imposed a fine of \$200 in each case.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20175. Misbranding of W.H.D. special stomach medicine, and W.H.D. special medicine. U.S. v. 4 Cans of W.H.D. Special Stomach Medicine, et al. Default decree of condemnation and destruction. (F. & D. No. 28919. Sample Nos. 2735-A, 2736-A, 2737-A.)

Examination of the drug preparations involved in these cases disclosed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed on the can labels.

On September 17, 1932, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 4 cans of W.H.D. special stomach medicine, 26 cans of W.H.D. special medicine, 60-cent size, and 14 cans of W.H.D. special medicine, \$1.00-size, remaining in the original unbroken packages at Sioux City, Iowa, alleging that the articles had been shipped in interstate commerce, in part on or about July 26, 1930, and in part on or about April 7, 1931, by the W.H.D. Special Mfg. Co., from Woodston, Kans., to Sioux City, Iowa, and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the article by this Department showed that they consisted essentially of calcium carbonate, magnesium carbonate, and sodium bicarbonate.

It was alleged in the libels that the articles were misbranded in that the following statements regarding the curative and therapeutic effects of the said articles were false and fraudulent: (Special stomach medicine, can) "Special Stomach Medicine For * * * Overeating, Stomach Disorders, * * * Ulcers of Stomach, * * * Instantly Relieves * * * Stomach Disorders * * * Why suffer with These Troubles? Have Testimonials of Marvelous Relief from so called Rheumatism, Kidney Trouble and Many Other Diseases that may be caused by the stomach. Your trouble may be caused by your stomach or bowels. It may be just what you need. Many have been saved many hours of suffering by taking this harmless remedy"; (special medicine, \$1.00 size can) "For * * * Overeating, Stomach Disorders, * * * Ulcers of Stomach, * * * Instantly Relieves * * * Stomach Disorders * * * Why suffer with These Troubles? Have Testimonials of Marvelous

Relief from so called Rheumatism, Kidney Trouble and Many Other Diseases that may be Caused by the Stomach. Your Trouble may be Caused by Your Stomach or Bowels. It May be Just what you Need. Many Have Been Saved Many Hours of Suffering by Taking this Harmless Remedy. Directions: * * * If don't get relief from dose directed take more often and larger dose"; (special medicine, 60-cent can) "For * * * Overeating, Stomach Disorders, * * * Ulcers of Stomach, * * * Relieves * * * Distress from Overeating, * * * Stomach Disorders * * * Excellent Blood Remedy. * * * Why suffer with these troubles? Have testimonials of marvelous relief from what people thought was Rheumatism, Kidney Trouble or other disease caused by the stomach. It may be your trouble is caused by your stomach or bowels. Try a box of this remedy, it may be just what you need. Many have been saved many hours of suffering by taking this harmless remedy. Directions: * * * If you don't get relief from above dose take a larger or smaller dose and more or less often as the case may require."

On November 1, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the products be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*