

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1063.

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

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#### ADULTERATION AND MISBRANDING OF LAUDANUM, SWEET SPIRITS OF NITRE, AND SUN CHOLERA MIXTURE.

On April 8, 1911, the United States Attorney for the District of New Jersey, acting upon the report of the Secretary of Agriculture, filed an information in the District Court of the United States for said district against the Merchants' Drug Corporation, alleging shipment by it, in violation of the Food and Drugs Act, on September 16, 1910, from the State of New Jersey into the State of Massachusetts, of a consignment of drug products which were adulterated and misbranded. The labels on the aforesaid products, which, for purposes of identification, are numbered I. S. 8080-c, 8082-c, and 8083-c, were as follows:

*I. S. No. 8080-c.*—"M. D. C. Blue Flag Trade Mark. Sweet Spirits Nitre. Dose \* \* \* Price 10 c. Alcohol 30%, Ethyl Nitrite, 19 min. to ounce. Guaranteed by Merchants Drug Corp. Westfield, N. J. Under the Food and Drugs Act of June 30, 1906. Serial No. 17110-A."

*I. S. No. 8082-c.*—"Laudanum Poison, Alcohol 48%, Opium 45.6 gr. opium in fld. oz. One year old, 4 drops, four years old, \* \* \* Guaranteed by Merchants Drug Corporation under the Food and Drugs Act, June 30, 1906. No. 17110 A. Merchants Drug Corporation, Westfield, N. J."

*I. S. No. 8083-c.*—"Sun Cholera Mixture. From 15 to 30 drops in a little sweetened water repeated every half hour. Should not be given to children. Guaranteed by Merchants' Drug Corporation under the Food and Drugs Act, June 30, 1906. No. 17110-a. Merchants' Drug Corporation, Westfield, N. J."

Analysis of samples of the aforesaid products by the Bureau of Chemistry, United States Department of Agriculture, showed the "sweet spirits nitre" to contain ethyl nitrite, 0.12 per cent; alcohol, 51.4 per cent by volume and 43.94 per cent by weight; the "laudanum" to contain 0.914 gm. of pure morphin in 100 c. c., equivalent to 34.7 grs. of opium per fluid ounce, assuming the opium to contain 12 per cent of morphin; alcohol, 43.5 per cent by volume; and the "Sun Cholera Mixture" was found to be a hydro-alcoholic solution of opium, camphor, capsicum, oil of peppermint, rhubarb, and glycerin; alcohol, 66 per cent by volume; opium (12 per cent), 6.8 grains per fluid ounce. Misbranding was alleged against Sweet Spirits Nitre for the reason that the content of ethyl nitrite as stated on the label was false as shown by the above analysis. Adulteration and misbranding were alleged against the laudanum for the reason that the label thereon represented it to contain 45.6 grains (meaning 45.6 per cent grains) opium per fluid ounce, when in fact it contained but 34.7 per cent grains per fluid ounce, whereby its strength and purity fell below the professed standard under which it was sold. Misbranding was alleged of the "Sun Cholera Mixture" for the reason that the said product contained alcohol and opium and the label thereon failed to contain any statement of the quantity or proportion of alcohol or opium contained in said product.

On May 29, 1911, the defendant pleaded non vult and was fined \$100.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *August 15, 1911.*

