27895. Misbranding of Pituipost ampuls. U. S. v. 66 and 170 "Ampuls of Pituipost * * * Obstetrical." Default decree of condemnation and destruction. (F. & D. Nos. 40014, 40221. Sample Nos. 9602–C, 47752–C.)

This product was labeled to convey the impression that it was pituitary extract obstetrical. However, it had a potency much lower than the requirement of the National Formulary for such product.

On or about July 23 and September 7, 1937, the United States attorneys for the Southern District of California and the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 66 ampuls of Pituipost at Los Angeles, Calif., and 170 ampuls of the same product at El Paso, Tex., alleging that the article had been shipped in interstate commerce in part on or about June 12, 1937, and in part on or about June 22, 1937, by the Intra Products Co. from Denver, Colo., and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement on the labels, "Pituipost * * * Obstetrical," was false and misleading since it conveyed the impression that the article consisted of ampuls of pituitary extract obstetrical, an article defined and described in the National Formulary; whereas it was not as represented since one lot possessed a potency not exceeding one-third the average requirement of the National Formulary for ampuls of pituitary extract obstetrical, and the other lot possessed a potency not exceeding one-half of the average requirement of that authority.

On September 1 and November 3, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27896. Adulteration and misbranding of Glover's Imperial Laxative Pills for Dogs and Cats. U. S. v. 37 Dozen Packages of Glover's Imperial Laxative Pills. Default decree of condemnation and destruction. (F. & D. No. 40034. Sample No. 37581–C.)

This product contained materially less calomel than declared on the label.

On August 3, 1937, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 dozen packages of the above-named product at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 19, 1937, from Toms River, N. J., by H. Clay Glover Co., Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Calomel 75%"; whereas it contained only 4.8 percent of calomel.

It was alleged to be misbranded in that the statement "Calomel 75%," borne on the carton and can, was false and misleading since the article did not contain 75 percent of calomel but did contain a much less amount.

On September 8, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27897. Adulteration and misbranding of Deane's Gauze. U. S. v. 15 Cartons of Deane's Gauze. Default decree of condemnation and destruction. (F. & D. No. 40040. Sample No. 38088–C.)

This product was labeled "Gauze Sterilized," but in fact was contaminated with viable micro-organisms.

On August 5, 1937, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cartons of Deane's Gauze at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about April 2, 1937, by the Deane Plaster Co., from Yonkers, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard under which it was sold, namely, "Gauze Sterilized," since it was not sterile but was contaminated.

It was alleged to be misbranded in that the statement on the label, "Gauze Sterilized," was false and misleading when applied to an article that was not sterile.

On September 27, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*