

teaspoonful; 6 to 9 months, 1 teaspoonful; twelve or more months, 1½ teaspoonful. Repeat the dose every 3 to 4 hours if necessary", in that said statements were indicative that the preparation was a safe and appropriate remedy for infants and young children; whereas it was not since infants and young children are susceptible to poisoning from morphine, which was one of its ingredients. The article was alleged to be misbranded further in that the directions on the label and said circular, together with the picture on the circular of a baby, entitled "Kopp's Remedies for Babies and Children", were statements, designs, and devices regarding its curative or therapeutic effect and were false and fraudulent.

On April 9, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

27265. Adulteration of alum boric douche powder and elixir of phenobarbital. U. S. v. Lynn C. Osincup and Frank Willard Osincup (CaPhenin Chemical Co.). Pleas of guilty. Fines, \$40 and costs. (F. & D. no. 37941. Sample nos. 23286-B, 23302-B.)

This case involved alum boric douche powder that did not possess the antiseptic strength claimed, and elixir of phenobarbital that contained a smaller amount of phenobarbital than that declared on the label.

On April 14, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Lynn C. Osincup and Frank Willard Osincup, copartners trading as the CaPhenin Chemical Co., at Waverly, Iowa, alleging shipment by said defendants in violation of the Food and Drugs Act on or about June 25 and July 10, 1935, from the State of Iowa into the State of Wisconsin of a quantity of alum boric douche powder and a quantity of elixir phenobarbital that were adulterated. The articles were labeled in part: "Alum Boric Douche Powder * * * Antiseptic equivalent to 2% Phenol"; "Elixir Phenobarbital * * * Each fluid ounce contains: Phenobarbital 2 Grs. * * * CaPhenin Chemical Company, Waverly, Iowa."

The alum boric douche powder was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to be an antiseptic douche equivalent to 2 percent of phenol when used as directed; whereas it was not an antiseptic douche equivalent to 2 percent of phenol when used as directed.

The elixir of phenobarbital was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each fluid ounce of the article was represented to contain 2 grains of phenobarbital; whereas each fluid ounce contained less than 2 grains, namely, not more than 1.8 grains of phenobarbital.

On April 26, 1937, pleas of guilty were entered by the defendants and the court imposed fines of \$40 and costs.

H. A. WALLACE, *Secretary of Agriculture.*

27266. Adulteration and misbranding of elixir of terpin hydrate and codeine. U. S. v. Bernard Ulman (National Pharmaceutical Manufacturing Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. no. 38041. Sample no. 62889-B.)

This product was sold under a name recognized in the National Formulary, but fell below the standard established by that authority and also below the standard declared on the label.

On April 16, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Bernard Ulman, trading as the National Pharmaceutical Manufacturing Co., Baltimore, Md., alleging shipment by said company in violation of the Food and Drugs Act on or about April 7, 1936, from the State of Maryland into the District of Columbia of a quantity of elixir of terpin hydrate and codeine that was adulterated and misbranded. The article was labeled in part: "National Elixir Terpin Hydrate and Codeine (Elixir Terpin Hydratis Cum Codeinae) N. F. Alcohol 40% Each Fluidounce Represents, Codein 0.906 Gr. * * * The National Pharmaceutical Mfg. Co. Baltimore, Md."

It was alleged to be adulterated in that it was sold under a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the test laid down in the formulary official at the