

into the State of Arizona on or about January 16, 1936, of a quantity each of chamomile flowers and of tincture of arnica that were adulterated and misbranded, and on or about April 29, 1936, of a quantity of olive oil that was misbranded.

The chamomile flowers were alleged to be adulterated in that they were sold under and by 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 said formulary in that they yielded not less than 5 percent of acid-insoluble ash; whereas said formulary provided that chamomile, that is, chamomile flowers, should yield not more than 4 percent of acid-insoluble ash, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Said article was alleged to be misbranded in that the statement "Chamomile Flowers U. S. P.", borne on the label, was false and misleading in that it represented that the article was a drug recognized in the United States Pharmacopoeia; whereas in fact it was not a drug recognized in said pharmacopoeia.

The tincture of arnica was alleged to be adulterated in that it was sold under and by 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 said formulary in that it contained not more than 22 percent of alcohol; whereas said formulary provided that tincture of arnica should contain not less than 35 percent of alcohol, and the standard of strength, quality, and purity of the article was not declared on the container thereof. It was alleged to be adulterated further in that its strength, quality, and purity fell below the professed standard and quality under which it was sold in that it was represented to contain 45 percent of alcohol; whereas in fact the article contained not more than 22 percent of alcohol. Said article was alleged to be misbranded in that the statement "Alcohol 45%", borne on the bottle labels, was false and misleading. Said article was alleged to be misbranded further in that it contained alcohol, and the label on the package failed to bear a statement of the quantity or proportion of alcohol contained in the article.

The olive oil was alleged to be misbranded in that the statement "1 Pint", borne on the bottle labels, was false and misleading in that it represented that each of the bottles contained 1 pint of the article; whereas in fact each of the bottles contained less than 1 pint of the article. It was alleged to be misbranded further in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 28, 1936, the defendants entered pleas of guilty and the court imposed a fine of \$300.

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

26967. Adulteration and misbranding of Tablets Barbital, Tablets Morphine Sulphate, and Tablets Strychnine Sulphate. U. S. v. Hoosier Pharmacal Co. Plea of guilty. Fine, \$25. (F. & D. no. 37974. Sample nos. 56112-B, 56114-B, 56118-B.)

The barbital tablets, the morphine sulphate tablets, and the strychnine sulphate tablets contained less barbital, less morphine sulphate, and less strychnine sulphate, respectively, than the quantity stated on the labels.

On December 2, 1936, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hoosier Pharmacal Co., Indianapolis, Ind., charging shipment by said corporation in violation of the Food and Drugs Act, on or about January 29, 1936, from the State of Indiana into the State of Ohio of quantities of articles labeled "Tablets Barbital", "Tablets Morphine Sulphate", and "Tablets Strychnine Sulphate", each of which was adulterated and misbranded.

The article Tablets Barbital was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold in that each of the tablets was represented to contain 5 grains of barbital; whereas in fact each of the tablets contained not more than 4.09 grains of barbital. Said article was alleged to be misbranded in that the statement "Tablets Barbital * * * 5 grains", borne on the label, was false and misleading in that each of the tablets contained less than 5 grains of barbital.

The article Tablets Morphine Sulphate was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under

which it was sold in that each of the tablets was represented to contain $\frac{1}{4}$ grain of morphine sulphate; whereas in fact each of the tablets contained not more than $\frac{2}{9}$ grain of morphine sulphate. Said article was alleged to be misbranded in that the statement, "Tablets Morphine Sulphate $\frac{1}{4}$ gr.", borne on the label, was false and misleading in that each of the tablets contained less than $\frac{1}{4}$ grain of morphine sulphate.

The article Tablets Strychnine Sulphate was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold in that each of the tablets was represented to contain $\frac{1}{60}$ grain of strychnine sulphate; whereas in fact each of the tablets contained not more than $\frac{1}{67}$ grain of strychnine sulphate. Said article was alleged to be misbranded in that the statement "Tablets Strychnine Sulphate $\frac{1}{60}$ gr.", borne on the label, was false and misleading in that each of the tablets contained less than $\frac{1}{60}$ of a grain of strychnine sulphate.

On December 22, 1936, a plea of guilty was entered on behalf of the defendant corporation, and the court imposed a fine of \$25.

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

26968. Misbranding of Curarina De Juan Salas Nieto. U. S. v. Richard Diener (Curarina Agency). Plea of guilty. Fine, \$40. (F. & D. no. 37989. Sample no. 43856-B.)

The bottle label, carton, and a booklet enclosed in the cartons bore and contained false and fraudulent representations regarding the curative and therapeutic effects of this article.

On September 25, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Richard Diener, trading as Curarina Agency, Oxnard, Calif., charging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about January 23, 1936, from the State of California into the State of Massachusetts of a quantity of an article labeled "Curarina De Juan Salas Nieto" that was misbranded.

Analysis of the article showed that it was essentially a water-alcohol solution of drug extractives containing alcohol (about 31.5 percent by volume), solids (about 1.0 gram per cubic centimeter), ash (0.27 gram per 100 cubic centimeters), and traces of resin, sapon-like glucosides, and alkaloids.

The article was alleged to be misbranded in that statements regarding its curative and therapeutic effects, on the bottle labels and cartons and in a booklet enclosed in the cartons, falsely and fraudulently represented that it would be effective as a treatment, remedy, and cure for sciatica, affections of the sciatic nerve, rheumatism, blood poisoning, insect bites, mumps, malaria fever, cuts, sores, disorders of the body, arthritis, neuritis, rheumatism in its many forms, rheumatism in the legs, back, and ankles, pain in the right side of the abdomen, diabetes, diabetic trouble, 80 percent of all other ailments, tonsillitis, colitis, colds, grippe, lung and other bodily disorders, pneumonia, influenza, flu, whooping cough, tetanus, high blood pressure, blood pressure, animal poisons, bites of black widow spiders, snakes, and mad dogs, and stings of scorpions, centipedes, stingarees, wasps, enormous silver-white ants, spiders, and bees, miasmatic fevers, malaria, typhoid fever, yellow fever, high fever, smallpox, black vomit, hemorrhages, wounds, and bleeding, nasal hemorrhages, female hemorrhages, affections of the stomach, lentergy, appendicitis, stomach trouble, run-down condition, distemper in animals, trench mouth, swollen throat, swollen ankles, kidney trouble, severe sick headaches, ptomaine poisoning, Primula poisoning, carbon monoxide poisoning, poison oak or ivy, yellow jaundice, skin infection and eczema in dogs; effective to make the worst animal or insect sting absolutely harmless to the body; effective to restore to normal health one who is affected with angina pectoris, angina spasms, anginal pains, heart disease, heart diseases, enlargement of the heart, arterio sclerosis, systolic murmur and booming, heart ailments, sharp pains in the heart, dull, aching pains in the heart, weak valve in the heart, and other heart trouble; effective as a treatment for ailments of the nervous system; and effective to kill germs in the blood stream, as a tonic, to reduce the pain and stop the progress of cancer, to tone up the whole system, and to keep one in perfect health.

On December 12, 1936, the defendant entered a plea of guilty and December 28, 1936, the court imposed a fine of \$40.

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