

fluid ounce was represented to contain 218 grains of colchicum and nux vomica, respectively, and to be about five times the strength of United States Pharmacopoeia tinctures; whereas the special preparation of colchicum contained less than 218 grains, namely, not more than 145 grains of colchicum, and was not more than four times the strength of United States Pharmacopoeia tincture of colchicum and the special preparation of nux vomica contained less than 218 grains, namely, not more than 156.1 grains of nux vomica and was not more than three and two-thirds times the strength of United States Pharmacopoeia tincture of nux vomica. Adulteration of the special preparation of hyoscyamus was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to be about five times the strength of United States Pharmacopoeia tincture of hyoscyamus whereas its strength was greater than so represented, namely, not less than six times the maximum strength of United States Pharmacopoeia tincture of hyoscyamus.

Misbranding was alleged for the reason that the statements "each ounce represents 218 grains of drug" with respect to the special preparations of colchicum and nux vomica and the statements, "Special Preparation Colchicum [or "Hyoscyamus" or "Nux Vomica"]" and "This preparation is about five times the strength of the U. S. P. tincture", with respect to all products were false and misleading since the special preparations of colchicum and nux vomica contained less colchicum and less nux vomica than declared and were less than about five times the strength of United States Pharmacopoeia tinctures of colchicum and nux vomica, respectively, and the special preparation of hyoscyamus was more than about five times the strength of United States Pharmacopoeia tincture of hyoscyamus.

On October 22, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$50 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

25100. Adulteration and misbranding of Wards Acetanilide Compound Tablets, Wards Quinine Sulphate Tablets, Wards Iron, Quinine and Strychnine Tablets; and adulteration of Wards Elixir of Three Bromides. U. S. v. Savoy Drug & Chemical Co., a corporation. Plea of guilty. Fine, \$15. (F. & D. no. 34054. Sample nos. 3703-B, 3704-B, 3705-B, 23013-B.)

The labels of these drugs bore incorrect statements regarding their strength and purity.

On September 18, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Savoy Drug & Chemical Co., a corporation, Chicago, Ill., alleging shipment in violation of the Food and Drugs Act as amended, on or about June 25, 1934, and March 5, 1935, from Chicago, Ill., to St. Paul, Minn., of quantities of Wards Acetanilide Compound Tablets, Wards Quinine Sulphate Tablets, Wards Iron, Quinine and Strychnine Tablets, and Wards Elixir of Three Bromides, of which one was adulterated and the others were both adulterated and misbranded. The articles were labeled in part: (Bottle and carton) "Wards Acetanilide Compound Tablets, Acetanilide 3½ Gr."; (bottle and carton) "Wards Quinine Sulphate Tablets 2 Grains"; (bottle and carton) "Wards Iron, Quinine and Strychnine Tablets"; (bottle) "Wards Elixir of Three Bromides, Alcohol 4%." Each of the articles bore on its label the words "Distributed by Montgomery Ward & Co. Chicago."

Adulteration of Wards Acetanilide Compound Tablets was charged under the allegations that each of the tablets was represented to contain 3½ grains of acetanilid, that each contained not more than 3.065 grains thereof and that the strength and purity of the article fell below the professed standard and quality under which it was sold.

Adulteration of Wards Quinine Sulphate Tablets was charged under the allegations that each of the tablets was represented to contain 2 grains of quinine sulphate; that each contained not more than 1.64 grains thereof, and that the strength and purity of the article fell below the professed standard and quality under which it was sold.

Adulteration of Wards Iron, Quinine and Strychnine Tablets was charged under the allegations that each of the tablets was represented to contain 1 grain of reduced iron, that each contained not more than 0.56 grain thereof, and that the strength and purity of the article fell below the professed standard and quality under which it was sold.

Adulteration of Wards Elixir of Three Bromides was charged under the allegations that the article was sold under a name recognized in the National Formulary; that the said formulary provided that 1,000 cubic centimeters of elixir of three bromides should contain not less than 80 grams each of ammonium bromide, potassium bromide, and sodium bromide; that the article contained not more than 10.1 grams of ammonium bromide, not more than 8.93 grams of potassium bromide, and not more than 13.04 grams of sodium bromide, per 1,000 cubic centimeters; and that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary.

Misbranding of Wards Acetanilide Compound Tablets was charged under the allegations that there was borne on the carton and bottle label the statement, to wit, "Acetanilide 3½ Gr. Per Tablet"; that the said statement represented that each of the said tablets contained 3½ grains of acetanilid; that each of said tablets did not contain 3½ grains of acetanilid, and that each contained a less amount thereof and that the aforesaid statement was false and misleading.

Misbranding of Wards Quinine Sulphate Tablets was charged under the allegations that the carton and the bottle label bore the statement, to wit, "Wards Quinine Sulphate Tablets 2 Grains"; that said statement represented that each of said tablets contained 2 grains of quinine sulphate; that each of said tablets did not contain 2 grains of quinine sulphate, and that each contained a less amount thereof; and that the aforesaid statement was false and misleading.

Misbranding of Wards Iron, Quinine and Strychnine Tablets was charged under the allegations that the bottle label bore the statement, to wit, "Tablets Iron Reduced 1 gr."; that said statement represented that each of said tablets contained 1 grain of reduced iron; that each did not contain 1 grain of reduced iron, and that each contained a less amount; and that the aforesaid statement was false and misleading.

On December 16, 1935, a plea of guilty having been entered, a fine of \$15 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25101. Misbranding of Candy Worm Expeller. U. S. v. 22 Dozen Cans of Candy Worm Expeller. Default decree of condemnation and destruction. (F. & D. no. 34285. Sample no. 47698-A.)

This case involved a drug preparation the labeling of which contained unwarranted curative and therapeutic claims. The labeling was further objectionable, since it conveyed the impression that the product was safe for children as well as adults, whereas it contained a drug that might be harmful when used according to directions.

On November 7, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 dozen cans of Candy Worm Expeller at Oakland, Calif., alleging that the article had been shipped in interstate commerce, on or about March 30, 1933, by Furst & Thomas, from Freeport, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Candy Worm Expeller * * * Manufactured for Furst-McNess Co. * * * Freeport, Illinois."

Analysis showed that the article consisted essentially of pink compressed tablets containing chiefly sugars, about 0.4 grain of santonin, and a small amount of coloring matter in each tablet.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading: (Tin box) "Candy Worm Expeller A safe and Pleasant Remedy For Children and Adults Directions Dissolve the tablets slowly in the mouth or chew up like candy and swallow. Take twice a day on an empty stomach, just before retiring at night and the first thing in the morning, for three days in succession. Then omit for three days and repeat if necessary. If bowels do not move freely by the third day use F. W. McNess' Candy Laxative or Sen-Lax. Dose—for children 2 to three years, ½ tablet; 4 to 6 years, 1 tablet; 7 to 9 years, 1½ tablets; 10 to 12 years, 2 tablets; 13 to 15 years, 3 tablets; over 15 years, 4 to 6 tablets"; (circular) "Candy Worm Remedy, a strictly reliable medicine * * * The formula has been tested with unflinching results for many years past by thousands of the best physicians in this country and Europe, so we feel it is as nearly perfect as science and skill can make it. * * * We have put up this reliable, pleasantly