

the fluidextract of ergot was represented to conform to the standard laid down in the pharmacopoeia, whereas it did not.

Misbranding was alleged for the reason that the statements, "Compound Solution of Iodine \* \* \* (Liquor Iodi Compositus, U. S. P. X) An aqueous solution containing Iodine . . . . 5 per cent", "Tablets Acetanilid 5 grains", and "Fluidextract Ergot U. S. P. One Cc of this Fluidextract Ergot represents one gramme of superior Standard Ergot", borne on the labels of the respective products, were false and misleading, since the compound solution of iodine did not conform to the pharmacopoeial standards and contained less than 5 percent of iodine, the acetanilid tablets contained less than 5 grains of acetanilid, and the fluidextract of ergot did not conform to the pharmacopoeial standard and 1 cubic centimeter represented less than 1 gram of "superior standard ergot."

On October 10, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$350.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23232. Adulteration and misbranding of colchicum corm and tincture belladonna. U. S. v. The Upjohn Co. Plea of nolo contendere. Fine, \$200. (F. & D. no. 31319. Sample nos. 3747-A, 4017-A.)**

This case was based on an interstate shipment of fluidextract of colchicum corm which differed from the standard provided by the National Formulary, since it yielded less colchicine than provided in the formulary, and of a shipment of tincture of belladonna that differed from the standard provided by the United States Pharmacopoeia, since it yielded alkaloids of belladonna leaves in excess of the amount provided in the pharmacopoeia.

On February 24, 1934, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Upjohn Co., a corporation, Kalamazoo, Mich., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 22, 1932, and July 2, 1932, from the State of Michigan into the State of Illinois, of quantities of fluidextract of colchicum corm and tincture of belladonna, respectively, which were adulterated and misbranded. The articles were labeled in part: "Fluid Extract Colchicum Corm, N. F. V. \* \* \* Standard—0.31 to 0.39 Gm. Colchicine per 100 cc. \* \* \* The Upjohn Company. \* \* \* Kalamazoo, Mich.;" and "Tincture Belladonna, U. S. P. X. \* \* \* Standard—0.027 to 0.033 Gm. Alkaloids per 100 cc. \* \* \* The Upjohn Company \* \* \* Kalamazoo, Mich."

The information charged adulteration of the colchicum corm in that it was sold under a name recognized in the National Formulary, fifth revision, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said formulary, in that it yielded less than 0.31 gram of colchicine per 100 cubic centimeters, namely, not more than 0.266 gram of colchicine per 100 cubic centimeters; whereas the formulary provides that fluidextract of colchicum corm shall yield not less than 0.31 gram of colchicine per 100 cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration of the tincture of belladonna was alleged in that it was sold under a name recognized in the United States Pharmacopoeia, tenth revision, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, since it yielded more than 0.033 gram of the alkaloids of belladonna leaves per 100 cubic centimeters, namely, not less than 0.036 gram of the alkaloids of belladonna leaves per 100 cubic centimeters; whereas the pharmacopoeia provides that tincture of belladonna shall yield not more than 0.033 gram of the alkaloids of belladonna leaves per 100 cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration was alleged for the further reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold.

Misbranding was alleged for the reason that the statement, "Fluid Extract Colchicum Corm N. F. V. \* \* \* Standard—0.31 to 0.39 Gm. Colchicine per 100 cc." with respect to the fluidextract of colchicum corm, and the statement, "Tincture Belladonna, U. S. P. X. \* \* \* Standard—0.027 to 0.033 Gm. Alkaloids per 100 cc." with respect to the tincture belladonna, were false and misleading.

On September 20, 1934, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$200.

M. L. WILSON, *Acting Secretary of Agriculture.*