or usual name of the drug; and in that the label failed to bear the common or usual name of each active ingredient contained therein.

Analysis of a sample of the S. G. M. [illegible] (Oral) showed that it consisted of capsules containing animal materials including 0.16 grain of thyroid per capsule. It was alleged to be misbranded in that its labeling failed to bear adequate directions for use; in that its labeling failed to bear adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health or against unsafe dosage or methods or duration of administration in such manner and form as are necessary for the protection of users; in that its package failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; in that its package failed to bear a label containing a statement of the quantity of the contents; in that the label failed to bear the common or usual name of the article; and in that the label failed to bear the common or usual name of each active ingredient, including the quantity of thyroid that it contained.

On January 7, 1942, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

672. Adulteration and misbranding of Zerbst's Capsules. U. S. v. 94 Dozen Packages of Zerbst's Capsules. Default decree of destruction. (F. D. C. No. 6572. Sample No. 73122–E.)

This product contained acetanilid, aloin, and a resin such as podophyllin. In addition to failure to bear adequate directions and warnings on the label, it contained approximately 20 percent more acetanilid than the amount stated on the label.

On December 24, 1941, the United States attorney for the Western District of Missouri filed a libel against 94 dozen packages of Zerbst's Capsules at Kansas City, Mo., alleging that the article had been shipped on or about November 15, 1941, by J. Walker Burns & Co. from Chicago, Ill.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, namely, (label) "Each Capsule contains as active ingredients, Acetanilid 1 Grain," since it contained materially more than 1 grain of acetanilid.

It was alleged to be misbranded: (1) In that the directions for use, "Adults—To allay the discomfort in breaking up a common head cold, simple headache or neuralgia, take one capsule every half hour until three are taken, then one capsule in two or three hours until three more capsules are taken. Children—12 years old, one capsule, repeated in three hours," were inappropriate for an article of its composition and were therefore inadequate. (2) In that the label failed to bear adequate warnings against its use by children or in those pathological conditions where its use might be dangerous to health and against unsafe dosage or duration of administration, in such manner and form as are necessary for the protection of users, since there was no warning against its use by children, against use in the presence of the symptoms of appendicitis, nor with reference to the deleterious effects of acetanilid in causing serious blood disturbances, or that frequent or continued use might result in dependence upon the drug.

On February 13, 1942, no claimant having appeared, judgment was entered ordering that the product be destroyed.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO COMPLY WITH OFFICIAL OR OWN STANDARDS[2]

673. Adulteration of chloroform. U. S. v. City Chemical Corporation and Max Wolpert. Plea of guilty. Corporation and Max Wolpert both fined $100. (F. D. C. No. 6404. Sample Nos. 47480–E, 50848–E.)

This product differed from the pharmacopoeial standard because of the presence of excessive carbonizable substances in both lots and of chlorinated decomposition products in one.

On February 18, 1942, the United States attorney for the District of New Jersey filed an information against the City Chemical Corporation, Newark, N J., and Max Wolpert, an officer of said corporation, alleging shipment on or about May 27, 1941, from the State of New Jersey into the States of Illinois and Maryland, of a quantity of chloroform that was adulterated.

The article was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia, but its quality or purity fell below the standard set forth in

[2] See also Nos. 656, 657, 668, and 672.

such compendium since it contained carbonizable substances in excess of the maximum provided by the pharmacopoeia, and (in one lot) chlorinated decomposition products and its difference in quality or purity from said standard was not plainly stated on the label.

On February 24, 1942, a plea of guilty having been entered on behalf of the defendants, the court imposed a fine of $50 against the corporation and the individual defendant on each of the two counts.

674. Adulteration and misbranding of magnesium carbonate. U. S. v. City Cemical Corporation and Max Wolpert. Plea of guilty. Corporation and Max Wolpert each fined $100. (F. D. C. No. 2973. Sample No. 99913–E.)

This product was labeled as magnesium carbonate, but consisted of approximately 96 percent of calcium carbonate.

On November 7, 1941, the United States attorney for the District of New Jersey filed an information against the City Chemical Corporation, Jersey City, N. J., and Max Wolpert, an officer of said corporation, alleging shipment on or about November 12, 1940, from the State of New Jersey into the District of Columbia, of a quantity of magnesium carbonate that was adulterated and misbranded.

The article was alleged to be adulterated (1) in that a product consisting of approximately 96 percent of calcium carbonate had been substituted in whole or in part for magnesium carbonate; and (2) in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia, but its strength differed from or its quality or purity fell below the standard set forth in the pharmacopoeia and its difference in strength, quality, or purity from such standard was not plainly stated on the label.

It was alleged to be misbranded (1) in that the statement on the label, "Magnesium Carbonate * * * U. S. P.," was false and misleading; and (2) in that it consisted essentially of calcium carbonate and was offered for sale under the name of another drug. "Magnesium Carbonate U. S. P."

On February 24, 1942, a plea of guilty having been entered on behalf of the defendants, the court imposed a fine of $50 on count 1 and $25 each on counts 2 and 3 against both the corporation and the individual defendant.

675. Adulteration and misbranding of oxygen and carbon dioxide mixture. U. S. v. Stuart Oxygen Co. Plea of nolo contendere. Fine, $200. (F. D. C. No. 5536. Sample No. 55252–E.)

This product was represented to contain 7 percent of carbon dioxide, whereas it contained 9 percent of carbon dioxide.

On December 22, 1941, the United States attorney for the Northern District of California filed an information against Stuart Oxygen Co., a corporation, San Francisco, Calif., alleging shipment on or about September 21, 1940, from the State of California into the State of Washington of a quantity of oxygen and carbon dioxide mixture which was adulterated and misbranded. It was labeled in part: "Stuart Medical Oxygen-Carbon Dioxide Mixture * * * 93% Oxygen—7% Carbon Dioxide."

The article was alleged to be adulterated in that its strength differed from that which it purported and was represented to possess since it was represented to contain not more than 7 percent of carbon dioxide, but did contain not less than 9 percent of carbon dioxide.

It was alleged to be misbranded in that the statements, (cylinders) "Carbon Dioxide, not more than 7%," (wrappers) "7% Carbon Dioxide," and (tags) "CO_2 * * * 7% Carbon Dioxide," were false and misleading.

On January 2. 1942, the defendant entered a plea of nolo contendere and the court imposed a fine of $200.

676. Adulteration and misbranding of Camphor Liniment, Anthelmintic Tablets, and Kamala Compound No. 1 Tablets; and misbranding of Marnecro Concentrate, Marespy Tablets, and Fowl Enteric Tablets. U. S. v. Marrinan Supply Co., Inc. Plea of guilty. Fine, $45. (F. D. C. Nos. 4137, 5480. Sample Nos. 38116–E, 38404–E, 38647–E, 38659–E, 38660–E, 38661–E.)

The Camphor Liniment differed from the pharmacopoeial requirements. The Anthelmintic Tablets and Kamala Compound No. 1 fell below their declared standards and they and the remaining products bore on their labeling false and misleading claims regarding their efficacy in the treatment of diseases of animals and poultry. The Marnecro Concentrate was falsely represented to contain copper arsenite and its label failed to bear an accurate statement of the quantity of the contents.

On October 27, 1941, the United States attorney for the District of Minnesota filed an information against the Marrinan Supply Co., Inc., St. Paul, Minn., al-