

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

1206. Adulteration of senna and senna siftings. U. S. v. 14 Bales and 26 Bales of Senna and 25 Bales of Senna Siftings. Default decree of condemnation and destruction. (F. D. C. No. 11470. Sample Nos. 46665-F to 46667-F, incl., 46671-F to 46673-F, incl.)

Senna is a vegetable drug the name of which is recognized in the United States Pharmacopoeia, and senna siftings is a term applied to small pieces of senna leaves which have been broken in the process of gathering, packing, etc.

On December 21, 1943, the United States attorney for the Eastern District of Michigan filed a libel against 40 bales of senna and 25 bales of senna siftings at Detroit, Mich., alleging that the articles had been shipped on or about June 4, 1943, by the Sterling Products Division (Sterling Drug, Inc.), Wheeling, W. Va.; and charging that they were adulterated.

The articles were alleged to be adulterated (1) in that they consisted in whole or in part of filthy substances by reason of the presence of webbing, adult insects, insect larvae, insect fragments and capsules, and insect excreta; (2) in that they had been held under insanitary conditions whereby they may have become contaminated with filth; and (3) in that they purported to be and were represented as senna, a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but their quality and purity fell below the standard set forth in that compendium.

On March 11, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

1207. Adulteration and misbranding of dicalcium phosphate with vitamins B-C-D. U. S. v. Walker Vitamin Products, Inc. Plea of guilty. Fine, \$100. (F. D. C. No. 7321. Sample No. 70638-E.)

On March 30, 1944, the United States attorney for the Southern District of New York filed an information against the Walker Vitamin Products, Inc., Mt. Vernon, N. Y., alleging shipment of a quantity of the above-named product on or about January 12, 1942, from the State of New York into the State of Georgia.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess.

The article was alleged to be misbranded in that the statement on its label, "In Each Capsule * * * Vitamin D (Natural) 330 I. U.," was false and misleading since each capsule of the article contained not more than 165 International Units of vitamin D.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On April 12, 1944, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100.

1208. Adulteration and misbranding of Vitasol. U. S. v. Vitasol Corporation. Plea of guilty. Fine of \$500 on count 1. Sentence suspended on count 2, and defendant placed on probation for 2 years. (F. D. C. No. 7731. Sample No. 69503-E.)

On April 3, 1943, the United States attorney for the Eastern District of New York filed an information against the Vitasol Corporation, Brooklyn, N. Y., alleging shipment on or about July 15, 1941, from the State of New York into the State of Connecticut of a quantity of Vitasol which was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess, since it was represented to contain approximately 1,000 U. S. P. units of vitamin A per ounce, or 40,000 per 2½ pounds; 150 International Units of vitamin B₁ per ounce, or 6,000 per 2½ pounds; and 0.0067 gram of iron and 0.170 gram of phosphorus per ounce, whereas it contained not more than 750 U. S. P. units of vitamin A per ounce, or 30,000 units per 2½ pounds; 100 International Units of vitamin B₁ per ounce, or 4,000 International Units per 2½ pounds; and not more than 0.0015 gram of iron and 0.1206 gram of phosphorus per ounce.

The article was alleged to be misbranded because of the following false and misleading statements on its label: "Approximate Vitamin Contents in 2½ Lbs. of Vitasol 40,000 U. S. P. Units Vitamin A 6,000 International Units Vitamin B₁,"

*See also Nos. 1201, 1206.