4977. Adulteration and misbranding of acetphenetidin tablets, aspirin tablets, essence of pepsin, tinctura aconiti, tinctura cinchonae, tinctura nucis vomicae, nitroglycerin tablets, and linimentum camphorae. U. S. * * * v. Truax, Greene & Co., a corporation. Plea of guilty. Fine, $200 and costs. (F. & D. Nos. 5082, 5176. I. S. Nos. 20992–d, 20995–d, 20991–d, 20976–d, 20989–d, 20994–d, 20977–d, 20983–d.)

On March 10, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Truax, Greene & Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 7, 1912, from the State of Illinois into the State of Indiana, of a quantity of acetphenetidin tablets, aspirin tablets, essence of pepsin, tinctura aconiti, tinctura cinchonae, tinctura nucis vomicae, nitroglycerin tablets, and linimentum camphorae, which were adulterated and misbranded. The acetphenetidin tablets were labeled: (On bottle) "Compressed Tablets 500 Acetphenetidin U. S. P. 5 gr. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 1222. Truax, Greene & Co. Chicago."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Acetphenetidin (grains per tablet)..... 4.196

Adulteration of the article was alleged in the information for the reason that said product fell below the professed standard of strength under which it was sold, in that the statement, "Compressed Tablets 500 Acetphenetidin U. S. P. 5 gr.," purported to state the standard of strength of said product to be 5 grains acetphenetidin per tablet, whereas, in truth and in fact, said product fell below the professed standard of strength under which it was sold, in that it did not contain 5 grains acetphenetidin per tablet, but did contain a much less amount, to wit, 4.196 grains acetphenetidin per tablet.

Misbranding was alleged for the reason that the statement, to wit, "Compressed Tablets 500 Acetphenetidin U. S. P. 5 gr.," was false and misleading in that said statement purported to state that the product contained 5 grains acetphenetidin per tablet, whereas, in truth and in fact, it did not contain 5 grains acetphenetidin per tablet, but contained a much less amount of acetphenetidin per tablet.

The aspirin tablets were labeled: (On bottle) "Compressed Tablets 1000 Aspirin 5 Grains Manufactured in Laboratories of Truax, Greene & Co. 171–73–75 N. Wabash Ave. Chicago.—Hancock, R. Ph. Guaranteed under the Food and Drugs Act, June 30, 1906, Serial No. 1222. 2585."

Analysis of a sample of the article by said Bureau of Chemistry showed the following result:

Aspirin (grains per tablet)..... 4.16

Adulteration of the article was alleged in the information for the reason that the said product fell below the professed standard of strength under which it was sold, in that the statement, "Compressed Tablets 1000 Aspirin 5 Grains," purported to state the standard of strength of said product to be 5 grains aspirin per tablet, whereas, in truth and in fact, the said product fell below the professed standard of strength under which it was sold, in that it did not contain 5 grains of aspirin per tablet, but contained a much less amount, to wit, 4.16 grains per tablet.

Misbranding was alleged for the reason that the statement, to wit, "Compressed Tablets 1000 Aspirin 5 Grains," was false and misleading in that said statement purported to state that the product contained 5 grains aspirin per

tablet, whereas, in truth and in fact, it did not contain 5 grains aspirin per tablet, but a much less amount of aspirin per tablet.

The essence of pepsin was labeled: (On bottle) "Essentia pepsini, N. F. Essence of Pepsin 10 per cent Alcohol. Each fluid ounce contains 10 grains of pure pepsin. (U. S. P.) with Rennin and Lactic Acid, Glycerin, Syrup and White Wine. Digestant. - Average Dose—8 C. c. (2 fluid-drachms) Guaranteed under the Food and Drugs Act. June 30, 1906. Serial number 1222. Truax, Greene & Co., Chicago." (Illegible stamp.)

Analysis of a sample of the article by said Bureau of Chemistry showed the following result:

U. S. P. pepsin (grains to the fluid ounce)---------- 4.56

Adulteration of the article was alleged in the information for the reason that the said product fell below the professed standard of strength under which it was sold, in that the statement, "Essence of Pepsin 10 per cent Alcohol. Each fluid ounce contains 10 grains of pure pepsin," purported to state the standard of strength of said product to be 10 grains pure pepsin per fluid ounce, whereas, in truth and in fact, the said product fell below the professed standard of strength under which it was sold, in that it did not contain 10 grains pure pepsin per fluid ounce, but contained a much less amount of pepsin per fluid ounce, to wit, 4.56 grains of pepsin per fluid ounce.

Misbranding was alleged for the reason that the statement, "Essence of Pepsin 10 per cent Alcohol. Each fluid ounce contains 10 grains of pure Pepsin," was false and misleading in that said statement purported to state that the product contained 10 grains of pure pepsin per fluid ounce, whereas in truth and in fact it did not, but did contain a much less amount.

The tinctura aconiti was labeled: (On bottle) "Poison Tinctura Aconiti U. S. P. Eighth Revision Menstrum 75 per cent. Alcohol, Standard 0.045 per cent. of Aconitine. Dose—3 to 10 minims (0.20—1 C. c.) Guaranteed under the Food and Drugs Act, June 30, 1906. Serial number 1222. Truax, Greene & Co. Chicago.—D. Palmer."

Analysis of a sample of the article by said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)---------- 60.1
Aconitine (grams per 100 cc)---------- 0.03

Adulteration of the article was alleged in the information for the reason that the said product was sold under and by a name recognized in the United States Pharmacopœia, to wit, tinctura aconiti, and the standard of strength of the said product different from the standard of strength as determined by the test laid down in the United States Pharmacopœia, official at the time of investigation, in that the said pharmacopœia prescribed that each 100 cubic centimeters of the said product should contain not less than 0.045 gram of aconitine, whereas in truth and in fact the said product did not contain 0.045 gram of aconitine in each 100 cubic centimeters of said product, but contained a much less amount of aconitine, to wit, 0.031 gram of aconitine.

Misbranding was alleged for the reason that the statement, "Tincture Aconiti U. S. P. Eighth Revision," was false and misleading in that the product was sold under and by a name recognized in the United States Pharmacopœia, to wit, tinctura aconiti, and the standard of strength of the product differed from the standard of strength as determined by the test laid down in the United States Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia, prescribed that each 100 cubic centimeters of said product should contain not less than 0.045 gram of aconitine, whereas in truth and in

fact the said product did not contain 0.045 gram of aconitine, but contained a much less amount, to wit, 0.031 gram of aconitine. Misbranding was alleged for the further reason that the statement, "75 per cent. Alcohol," did not state the proportion of alcohol present in said product in the size of type, to wit, 8-point (brevier) capitals, required by paragraph (c) of regulation 17 of the Rules and Regulations for the Enforcement of the Food and Drugs Act.

The tinctura cinchonae was labeled: (On bottle) "Tinctura Cinchonae U. S. P. Eighth Revision Contains 65 per cent alcohol. Standard 0.75 per cent. of anhydrous ether-soluble Alkaloids of Cinchona. Dose ½ to 2 drachms (2–8 c. c.) Guaranteed by Truax, Greene & Co., under the Food and Drugs Act, June 30, 1906. Serial number 1222. Truax, Greene & Company, Manufacturers and Jobbers of Physicians and Hospital Supplies. Chicago, U. S. A. A. D. Palmer, E. Ph."

Analysis of a sample of the article by said Bureau of Chemistry showed the following results:

Anhydrous ether-soluble alkaloids (grams per 100 cc)_____	0.472
Alcohol (per cent by volume)_____	62

United States Pharmacopœia requires 75 grams anhydrous ether-soluble alkaloids, there being about 37 per cent shortage.

Adulteration of the article was alleged in the information for the reason that the said product was sold under and by a name recognized in the United States Pharmacopœia, to wit, tinctura cinchonae, and the standard of strength of said product differed from the standard of strength as determined by the test laid down in the said Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia prescribed that each 100 cubic centimeters of the product should contain not less than 0.75 gram of anhydrous ether-soluble alkaloids, whereas in truth and in fact the said product did not contain 0.75 gram of anhydrous ether-soluble alkaloids in each 100 cubic centimeters thereof, but contained a much less amount, to wit, 0.472 gram of anhydrous ether-soluble alkaloids in each 100 cubic centimeters.

Misbranding was alleged for the reason that the statement, "Tinctura Cinchonae U. S. P. Eighth Revision Contains 65 per cent alcohol, Standard 0.75 per cent. of anhydrous ether-soluble Alkaloids of Cinchona," was false and misleading in that the said product was sold under and by a name recognized in the United States Pharmacopœia, to wit, "Tinctura Cinchonae," and the standard of strength of said product differed from the standard of strength as determined by the test laid down in the United States Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia prescribed that each 100 cubic centimeters of the product should contain not less than 0.75 gram of anhydrous ether-soluble alkaloids, whereas, in truth and in fact, said product did not contain 0.75 gram of anhydrous ether-soluble alkaloids in each 100 cubic centimeters thereof, but contained a much less amount, to wit, 0.472 gram of ether-soluble alkaloids in each 100 cubic centimeters. Misbranding was alleged for the further reason that the statement, "65 per cent alcohol," did not state the proportion of alcohol present in said product in the size of type, to wit, 8-point (brevier) capitals, required by paragraph (c) of regulation 17, of the Rules and Regulations for the Enforcement of the Food and Drugs Act.

The tinctura nucis vomicae was labeled: "Tinctura Nucis Vomicae—Poison. U. S. Eighth Revision. Contains 72 per cent. Alcohol. Standard—0.1 per cent. of Strychnin. Dose—5 to 20 minims. (0.30—1.30 C. c.) Trade Mark (Monogram) T. G. Co. Manufactured in Laboratories of Truax, Greene & Co. 171–73–75 N. Wabash Ave., Chicago, Ill. Guaranteed by Truax, Greene & Co., under the Food and Drugs Act, June 30, 1906. Serial No. 1222. 59655."

Analysis of a sample of the article by said Bureau of Chemistry showed the following results:

Strychnine (per cent)	0.063
Alcohol (per cent by volume)	62.3

Adulteration of the article was alleged in the information for the reason that said product was sold under the following professed standard of strength, to wit, "0.1 per cent. of Strychnin," whereas, in truth and in fact, the standard of said product fell below the professed standard of strength under which it was sold, in that it did not contain 0.1 per cent of strychnine, but contained a much less amount of strychnine, to wit, 0.063 per cent of strychnine.

Misbranding was alleged for the reason that the statement, to wit, "0.1 per cent. of Strychnin," was false and misleading, in that said statement purported to state that the product contained 0.1 per cent of strychnine, whereas, in truth and in fact, it did not contain 0.1 per cent of strychnine, but contained a much less amount, to wit, 0.063 per cent of strychnine. Misbranding was alleged for the further reason that the statement, "72 per cent. Alcohol," did not state the proportion of alcohol present in said product in the size of type, to wit, 8-point (brevier) capitals, required by paragraph (c) of regulation 17, of the Rules and Regulations for the Enforcement of the Food and Drugs Act.

The nitroglycerin tablets were labeled: (On bottle) "Tablet Triturates 2000 Nitroglycerin 1–100 Gr. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial Number 1222. Truax, Greene & Co. Chicago. Wm. B. Hancock."

Analysis of a sample of the article by said Bureau of Chemistry showed the following result:

Nitroglycerin (grains per tablet)	0.006

Adulteration of the article was alleged in the information for the reason that the said product was sold under the following professed standard of strength, to wit, "Nitroglycerin 1-100 Gr.," per tablet, whereas, in truth and in fact, the standard of strength of the product fell below the professed standard of strength, in that the said product did not contain 1-100 grain of nitroglycerin per tablet, but contained a much less amount, to wit, 0.006 grain of nitroglycerin per tablet

Misbranding was alleged for the reason that the statement, "Tablets Triturates 2000 Nitroglycerin 1-100 Gr.," was false and misleading in that said statement purported to state that the product contained 1-100 grain of nitroglycerin per tablet, whereas, in truth and in fact, it did not, but did contain a much less amount, to wit, 0.006 grain of nitroglycerin per tablet.

The linimentum camphorae was labeled: (On bottle) "Linimentum Camphorae, U. S. P. (Camphor liniment) Contains 20 per cent. Camphor gum dissolved in Cotton-seed Oil. Camphorated Oil may be employed for the relief of sprains, bruises and rheumatic pains, and as mild counter-irritant in bronchitis." (monogram) "TGCo. Trade Mark, Manufactured in Laboratories of Truax, Greene & Co. 171–73–75 N. Wabash Ave. Chicago, Ill. Guaranteed by Truax, Greene & Co., under the Food and Drugs Act, June 30, 1906. Serial No. 1222."

Analysis of a sample of the article by said Bureau of Chemistry showed the following result:

Camphor (per cent)	14.65

Adulteration of the article was alleged in the information for the reason that the product was sold under and by a name recognized in the United

States Pharmacopœia, to wit, linimentum camphorae, and the standard of strength of said product differed from the standard of strength as determined by the test laid down in the United States Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia prescribed that the said product should contain not less than 20 per cent of camphor, whereas, in truth and in fact, it did not, but did contain a much less amount, to wit, 14.65 per cent of camphor.

Misbranding was alleged for the reason that the statement, "20 per cent. Camphor gum," was false and misleading in that said statement purported to state that the product contained 20 per cent of camphor, whereas, in truth and in fact, it did not, but a much less amount.

On February 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of $200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*