16928. Adulteration of tincture aconite, tincture nux vomica, tincture opium, fluid extract ergot, strychnine sulphate tablets, and quinine sulphate tablets. U. S. v. The Blue Line Chemical Co. Plea of nolo contendere. Fine, $200. (F. & D. No. 22596. I. S. Nos. 19137-x, 19139-x, 19140-x, 19149-x, 23852-x, 23853-x, 23855-x, 23867-x.)

On April 12, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blue Line Chemical Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about September 7, 1927, from the State of Missouri into the State of Louisiana, of quantities of tincture aconite, tincture nux vomica, tincture opium, and strychnine sulphate tablets, and on or about March 8, 1928, from the State of Missouri into the State of Ohio, of quantities of fluid extract ergot, tincture nux vomica, tincture aconite, and quinine sulphate tablets, which said articles were adulterated. The articles were labeled in part, respectively: "Tincture Aconite U. S. P. * * * Standard—0.045 gm. to 0.055 gm. Ether Soluble Alkaloids per 100 c. c. * * * The Blue Line Chemical Co. St. Louis;" "Tincture Nux Vomica U. S. P. * * * One hundred mils of this tincture yields not less than 0.247 grams, nor more than 0.263 grams of the alkaloids of nux vomica * * * The Blue Line Chemical Co. St. Louis;" "Tincture Opium U. S. P. Standardized (Laudanum) * * * Represents in one fluid ounce: Opium, Granulated 45.6 grs. Standard—0.95 gm. to 1.05 gm. anhydrous morphine per 100 c. c. * * * The Blue Line Chemical Co. St. Louis;" "Fluid Extract Ergot U. S. P. Physiologically Tested * * * The Blue Line Chemical Co. * * * St. Louis;" "Tablet Triturates Strychnine Sulphate * * * Each Tablet Represents Strychnine Sulphate 1/60 gr. * * * The Blue Line Chemical Co. St. Louis;" "Quinine Sulphate Tablets * * * 2 Grains * * * The Blue Line Chemical Co. St. Louis."

Adulteration was alleged in the information with respect to the tincture aconite, tincture nux vomica, tincture opium, and fluid extract ergot for the reason that they were sold under and by names recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopœia official at the time of the investigation as follows: The minimum lethal dose of the said tincture aconite contained (was) more than 0.00045 cubic centimenter for each gram body weight of guinea pig, to wit, more than 0.002 cubic centimeter for each gram of body weight of guinea pig, whereas said pharmacopœia provides that tincture aconite, when administered subcutaneously to guinea pigs, shall have a minimum lethal dose of not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig; the said tincture nux vomica yielded less than 0.237 gram of the alkaloids of nux vomica per 100 cubic centimeters, the two lots of the article yielding not more than 0.197 gram and 0.183 gram, respectively, of the alkaloids of nux vomica per 100 cubic centimeters, whereas said pharmacopœia provides that tincture nux vomica shall yield not less than 0.237 gram of the alkaloids of nux vomica per 100 cubic centimeters; the said tincture opium yielded less than 0.95 gram of anhydrous morphine per 100 cubic centimeters, to wit, not more than 0.7318 gram of anhydrous morphine per 100 cubic centimeters, whereas said pharmacopœia provides that tincture opium yield not less than 0.95 gram of anhydrous morphine per 100 cubic centimeters; the said fluid extract ergot required more than 0.5 cubic centimeter for each kilogram of body weight of cock to produce a darkening of the comb, to wit, 2 cubic centimeters for each kilogram of body weight of cock, whereas said pharmacopœia provides that fluid extract of ergot administered by intramuscular injection to single comb, white leghorn cocks in doses not exceeding 0.5 cubic centimeter for each kilogram of body weight of cock shall produce a darkening of the comb, corresponding in intensity to that caused by the same dose of the standard fluid extract of ergot; and the standard of strength, quality, and purity of the said articles was not declared on the respective containers thereof. Adulteration was alleged with respect to all of the products for the reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold in that each 100 cubic centimeters of the said tincture aconite was represented to contain not less than 0.045 gram of ether soluble alkaloids of aconite, whereas it contained less, to wit, not more than 0.0182 gram of ether soluble alkaloids of aconite per 100 cubic centimeters; the tincture nux vomica was represented to yield not less than 0.247 gram of the alkaloids of nux vomica per 100 mils, whereas it yielded less, to wit, the two lots of the said article yielding not

more than 0.197 gram and 0.183 gram, respectively, of the alkaloids of nux vomica per 100 mils; the said tincture opium was represented to contain not less than 0.95 gram of anhydrous morphine per 100 cubic centimeters, and that each fluid ounce of the article contained 45.6 grains of granulated opium, whereas the article contained less than 0.95 gram of anhydrous morphine per 100 cubic centimeters, to wit, not more than 0.7318 gram of anhydrous morphine per 100 cubic centimeters and each fluid ounce of the article contained less than 45.6 grains of granulated opium, to wit, not more than 34 grains of granulated opium per fluid ounce; the said fluid extract ergot was represented to be fluid extract ergot, U. S. P., physiologically tested, whereas it was not fluid extract ergot which conformed to the test of the United States Pharmacopœia; the said strychnine sulphate tablets were represented to contain one-sixtieth of a grain each of strychnine sulphate, whereas each of said tablets contained less than one-sixtieth grain of strychnine sulphate, to wit, not more than 0.0129 grain of strychnine sulphate; and the said quinine sulphate tablets were represented to contain 2 grains each of quinine sulphate, whereas each of said tablets contained less than 2 grains of quinine sulphate, to wit, not more than 1.368 grains of quinine sulphate.

On October 22, 1929, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16929. Misbranding of menthol inhaler. U. S. v. 26 Dozen Menthol Inhaler. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24087. I. S. No. 022483. S. No. 2345.)

On October 1, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 dozen menthol inhaler at San Juan, P. R., alleging that the article was in possession of the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of menthol.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: "Relieves Asthma, Hay Fever, Neuralgia, Catarrh, Influenza, Headache, Etc."

On November 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16930. Misbranding of Gauvin's headache wafers. U. S. v. 5½ Dozen Packages of Gauvin's Headache Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23623. I. S. No. 05832. S. No. 1793.)

On April 16, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel praying seizure and condemnation of 5½ dozen packages of Gauvin's headache wafers, remaining in the original unbroken packages at Portland, Me., consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the article had been shipped from Lowell, Mass., on or about March 4, 1929, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the wafers contained acetanilide and sodium bicarbonate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article appearing in the labeling were false and fraudulent, since the article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Carton) "For * * * Neuralgia, Grippe, * * * Nervousness caused by overwork. * * * If relief does not follow, repeat the dose in 20 minutes. In severe cases such as Grippe, take one wafer every 3 hours." (Similar statements in French.)