**20154. Adulteration and misbranding of Special Formula No. 8067, Febritabs, acetanilid compound tablets, and Tastytabs. U.S. v. William H. Rorer, Inc. Plea of nolo contendere. Fine, $100.** (F. & D. No. 28057. I.S. Nos. 3497, 28015, 28788, 29720.)

This case was based on the shipment of various pharmaceutical preparations which, upon analysis, were found to contain one or more of the essential drugs materially in excess of or below the declared amounts.

On July 8, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against William H Rorer, Inc., Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 28, February 11, and March 10, 1931, from the State of Pennsylvania into the State of New Jersey, and on or about March 13, 1931, from the State of Pennsylvania into the State of Virginia, of quantities of pharmaceutical products that were adulterated and misbranded. The articles were labeled in part, variously: "Special Formula No. 8067 * * * Special Capsules Each Capsule Represents Quinine Sulphate 1 gr. Strychnine Suphate gr. * * * William H. Rorer, Inc. Pharmaceutical Chemists, Philadelphia Pennsylvania"; "Compressed Tablet Febritabs Rorer Each Tablet Represents Acetphenetidin 2½ gr. Acid Acetylsalicylic 2½ gr." ; "Rorer's Compressed Tablet Acetanilid Comp Improved Each Tablet Represents * * * Acetanilid 2½ gr."; "Rorer's Tastytabs Children's Migraine Rorer * * * Caffeine 1–10 gr."

It was alleged in the information that the article, labeled "Special Formula No. 8067", was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each capsule was represented to contain 1 grain of quinine sulphate and one-sixtieth grain of strychnine sulphate, that is to say, the equivalent of which in anhydrous alkaloids of quinine and strychnine is not more than 0.756 grain, whereas each of said capsules contained more of the anhydrous alkaloids of quinine and strychnine than represented, namely, not less than 0.912 grain of anhydrous alkaloids of quinine and strychnine. Adulteration of the preparation, labeled "Compressed Tablet Febritabs", was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain 2½ grains of acetphenetidin and 2½ grains of acetylsalicylic acid, whereas each tablet contained less than 2½ grains of acetphenetidin, namely, not more than 1.21 grains of acetphenetidin; and more than 2½ grains of acetylsalicylic acid, namely, not less than 3.929 grains of acetylsalicylic acid. Adulteration of the preparation, labeled "Tablet Acetanilid Comp Improved", was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain 2½ grains of acetanilid, whereas each tablet contained less than 2½ grains of acetanilid, namely, not more than 2.194 grains of acetanilid. Adulteration of the preparation, labeled "Rorers Tastytabs Children's Migraine", was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain one-tenth grain of caffeine, whereas each tablet contained less than one-tenth grain of caffeine, namely, not more than 0.0587 grain of caffeine.

Misbranding was alleged for the reason that the statements, "Each Capsule Represents Quinine Sulphate 1 gr. Strychnine Sulphate 1/60 gr.", "Each tablet Represents Acetphenetidin 2½ gr. Acid Acetylsalicylic 2½ gr.", "Each tablet Represents * * * Acetanilid 2½ gr.", and "Caffeine 1-10 gr. * * * tablets", appearing on the labels of the respective products, were false and misleading.

On September 29, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $100.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20155. Misbranding of Granger liver regulator. U.S. v. 27 Packages of Granger Liver Regulator. Consent decree of condemnation, forfeiture, and destruction.** (F. & D. No. 28913. Sample No. 7198-A.)

Examination of the drug preparation involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and box labels and in circulars shipped with the article.

On September 14, 1932, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 27 packages of Granger liver regulator at Montgomery, Ala., alleging that the article had been shipped in interstate commerce, on or about April 27, 1932, by the Granger Medicine Co. (Estorge Drug Co.), from New Iberia, La., to Montgomery, Ala., 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 senna and a small proportion of other plant material.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Carton) "Liver Regulator For Diseases of the Liver, * * * Dyspepsia, Biliousness, Bilious Colic, Pains in Head, Pains in Back, Inflammation of Kidneys, Inflammation of Stomach and Bowels. * * * Liver Regulator for Liver and Kidney Complaints"; (tin box) "Formerly Liver Regulator * * * Known to be useful in diseases of the Liver and Kidneys. * * * For Chronic Liver Complaints. * * * Biliousness, Colic, Sick Headache, Inflamed Kidneys, Pains in Back"; (yellow circular) "Directions For Using Granger Liver Regulator: * * * Torpid Liver—Take one to three teaspoonfuls at bedtime the first night, and one to two the second night; then commence with a half to one teaspoonful after each meal. Continue until the Liver is acting fully. Sick Headache—Take one teaspoonful four times a day at meals and at bedtime. A few days is generally sufficient, but the treatment should be continued until the head is clear and free from pain. Indigestion— * * * Piles and Biliousness—This is a very annoying and distressing disease, * * * take a half to one teaspoonful four times a day, at meals and at bedtime, until relieved"; (white circular) "Granger's Liver Regulator * * * to relieve billiousness * * * indigestion."

On November 1, 1932, the Granger Medicine Co., Inc., New Iberia, La., claimant, having consented to the destruction of the goods, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20156. Misbranding of Lippincott's One Night roup remedy. U.S. v. 11 Large Bottles, et al., of Lippincott's One Night Roup Remedy. Default decree of condemnation and destruction.** (F. & D. No. 28547. Sample Nos. 5714-A, 5715-A.)

Examination of the drug product involved in this action disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 1, 1932, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 large bottles and 22 small bottles of Lippincott's One Night roup remedy, remaining in the original unbroken packages at Muncie, Ind., alleging that the article had been shipped in interstate commerce on or about June 19, 1932, by John W. Lippincott, from Newark, Ohio, to Muncie, Ind., 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 of non-miscible liquids, the upper layer consisting essentially of kerosene and coal-tar products and the lower layer consisting essentially of cresol, soap, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent: (Bottle label) "One Night Roup Remedy Has No Equal for Roup, Gapes, Canker, Chickenpox, Diarrhea. * * * Roup —Half teaspoonful of remedy put down fowl's throat. * * * If eyes are swollen bathe with remedy, bad cases morning and evening. * * * Preventive, teaspoonful in water or bran. Gapes: One small drop in throat will destroy, or few drops in water will prevent. Canker: Small doses three or four times a day. Chickenpox: Apply full strength to sores. Diarrhea: Treatment for fowls, same as roup. For chicks, same as Gapes"; (carton) "One Night Roup Remedy [Cut showing picture of sick chicken—"Get Me Lippincott's"] Has No Equal for Roup, Gapes, Cholera or Canker * * * For