

Analysis of a sample of the article by this Department showed that it consisted essentially of alcohol (80 percent), water, and a small proportion of methyl salicylate, colored bright amber.

It was alleged in the libel that the article was misbranded (a) in that the packages failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article, and (b) in that the bottle label and the carton bore, and a circular enclosed in the package contained, among other statements, false and fraudulent statements regarding the curative or therapeutic effects of the article in the treatment of pain arising from swollen glands and joints, rheumatism; sore and aching feet, nerves; muscular lumbago; minor burns; eruptions; sciatica; swollen and stiff joints; swellings; cuts; wounds; open sores; inflammations due to outdoor exposures; pus cavities; chafings; abrasions; suppurative sores and pus areas; catarrhal conditions of mucous surfaces; scarlet, typhoid; scarlatina and other fevers; pneumonia; debilitated conditions; gout; erysipelas; mastitis; boils; carbuncles; sore throat, bronchial and laryngeal cold, bronchitis; headache; sore feet; neuritis."

On September 4, 1935, no claimant having appeared, judgment of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25104. Adulteration and misbranding of fluidextract of cinchona compound, detannated; fluidextract of cinchona, detannated; fluidextract of conium fruit; fluidextract of ipecac; elixir of aloin, belladonna, and strychnia; elixir of calisaya bark, iron, bismuth, and strychnia; elixir of bismuth and hydrastia; Elixir Anti-Malarial; elixir of calisaya, iron, and strychnine; and adulteration of tincture of ipecac. U. S. v. 6 Bottles and 12 Bottles of Fluid Extract Cinchona Comp., Detannated, and 9 other libel proceedings with respect to various other drugs. Default decrees of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 35560 to 35567, incl., 35569, 35570. Sample nos. 22657-B, 22658-B, 22663-B, 22666-B, 22669-B, 22672-B, 22676-B, 22677-B, 22686-B, 22687-B.)**

Examination of samples of these drugs disclosed that each contained an amount of ingredient different from that declared on its label; that all excepting the tincture of ipecac bore labels containing statements with regard to essential ingredients that were incorrect; that the fluidextract of ipecac was represented to be of pharmacopoeial standard, although without the essentials to conform to the standard fixed by the United States Pharmacopoeia; that the tincture of ipecac was represented to be of formulary standard, although without the essentials to conform to the standard fixed by the National Formulary; and that the label of the fluidextract of cinchona, detannated, bore unwarranted curative and therapeutic claims.

On June 4, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court 10 libels praying seizure and condemnation of 10 articles of drugs at New Orleans, La., alleging that they had been shipped in interstate commerce, on or about March 27, 28, and 30, 1934, by the Southwestern Drug Corporation, Houston, Tex., from that city to New Orleans, La., and charging adulteration with respect to the tincture of ipecac and adulteration and misbranding with respect to the other drugs in violation of the Food and Drugs Act. The articles were labeled in part: (Bottle) "From the Laboratory of Houston Drug Company, Houston, Texas."

Analysis of the fluidextract of cinchona, detannated, showed that the article yielded not more than 0.53 gram of alkaloids per 100 cubic centimeters, representing per cubic centimeter not more than 0.133 gram of cinchona bark containing 4 percent of ether-soluble alkaloids.

Adulteration of the fluidextract of cinchona compound, detannated, was charged under the allegations that the professed standard under which it was sold was stated upon the bottle label thus: "Standard Of Strength—One Pint represents: Red Cinchona Bark, 8 troy ounces; \* \* \* The red bark used in this preparation contains not less than 5 per cent of total alkaloids"; that the article yielded not more than 0.76 gram of alkaloids per 100 milliliters; that the said quantity of the alkaloids represented, per pint, 2.3 troy ounces of red cinchona bark containing 5 percent of alkaloids; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the fluidextract of cinchona, detannated, was charged under the allegations that the professed standard under which it was sold was stated upon the label thus: "Standard Of Strength—Each C. C. represents one gram

of bark containing four per cent ether soluble alkaloids"; that the article yielded not more than 0.53 gram of alkaloids per 100 cubic centimeters; that the said quantity of the alkaloids represented, per cubic centimeter, not more than 0.133 gram of cinchona bark containing 4 percent ether-soluble alkaloids; and that the strength of the article fell below the professed standard or quality under which it was sold.

Adulteration of the fluidextract of conium fruit was charged under the allegations that the professed standard under which it was sold was stated upon the label thus: "Standard Of Strength—0.35–0.45% of coniine weighed as hydrochloride"; that the article yielded per 100 milliliters 0.014 gram of alkaloids; that the said quantity of alkaloids was equivalent to 0.018 gram of coniine hydrochloride; and that the strength of the article fell below the professed standard or quality under which it was sold.

Adulteration of the fluidextract of ipecac was charged (a) under the allegations that the article was sold under a name recognized in the United States Pharmacopoeia; that the said pharmacopoeia stated that the fluidextract of ipecac yielded from each 100 cubic centimeters not less than 1.35 grams of ether-soluble alkaloids of ipecac; that the article yielded not more than 1.06 grams of ether-soluble alkaloids per each 100 cubic centimeters; that the article differed from the standard of strength as determined by the test laid down by the said pharmacopoeia, and that its own standard was not stated on the container; (b) under the allegation that the standard under which the article was sold was stated thus: "Standardized 1.8–2.2% Ether-Soluble Alkaloids"; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the elixir of aloin, belladonna, and strychnia was charged under the allegations that the standard under which it was sold was stated thus: "Each fluid drachm containing \* \* \* Ext. Belladonna Leaves,  $\frac{1}{8}$  grain; Strychnia, 1–60 grain \* \* \*"; that the article yielded per 100 milliliters not more than 0.020 gram of alkaloids; that said quantity of alkaloids was equivalent to not more than 0.0114 grain of alkaloids per fluid drachm; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the elixir of calisaya bark, iron, bismuth, and strychnia was charged under the allegations that the standard under which it was sold was stated thus: "Each fluid drachm containing 5 grains of Calisaya Bark, \* \* \*"; that the article yielded 0.146 gram of alkaloids per 100 milliliters; that the said quantity of alkaloids represented not more than 2.92 grams of cinchona bark per 100 milliliters or 1.66 grains of cinchona bark (calisaya bark) per fluid drachm; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the elixir of bismuth and hydrastia was charged under the allegations that the standard under which it was sold was stated thus: "Each fluid drachm contains: \* \* \* Hydrastia Alkaloid,  $\frac{1}{8}$  grain"; that the article yielded per 100 cubic centimeters not more than 0.0074 gram of hydrastine (hydrastia alkaloid); that the said quantity of hydrastine was equivalent to not more than 0.00422 grain (one two hundred and thirty-seventh of a grain) per fluid drachm; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of elixir anti-malarial was charged under the allegations that the standard of strength under which it was sold was stated thus: "Each fluid drachm contains: \* \* \* Cinchona Alk., 1 gr."; that the article contained not more than 1.38 grams of cinchona alkaloid per 100 milliliters; that said quantity of cinchona alkaloid was equivalent to not more than 0.79 grain per fluid drachm; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the elixir calisaya iron and strychnine was charged under the allegation that the standard of strength under which it was sold was stated thus: "Each fluid ounce represents: Calisaya Bark, 40 grains \* \* \*"; that the article contained in each 100 milliliters 0.08 gram of alkaloids, and that said quantity of alkaloids represented 7.3 grains of calisaya bark per fluid ounce; and that the strength of the article fell below the professed standard under which it was sold.

Adulteration of the tincture of ipecac was charged under the allegations that it was sold under a name recognized in the National Formulary, that the said formulary specified that tincture of ipecac yielded per 100 cubic centimeters not less than 0.135 gram of ether-soluble alkaloids, that the

article yielded not more than 0.056 gram of alkaloids per 100 cubic centimeters, that the article differed from the standard of strength as determined by the test laid down in said formulary, and that its own strength was not stated on the label.

Misbranding of the fluidextract of cinchona compound, detannated, was charged under the allegation that the label of the bottles bore the statements, to wit, "One Pint represents: Red Cinchona Bark, 8 troy ounces; \* \* \* The red bark used in this preparation contains not less than 5 per cent of total alkaloids"; and that the said statements were false and misleading.

Misbranding of the fluidextract of cinchona, detannated, was charged (a) under the allegations that the labels of the bottles bore the statements, to wit, "Dose—10 to 60 m. \* \* \* Action and Uses \* \* \* febrifuge and anti-periodic \* \* \*", that the said statements were representations regarding the curative or therapeutic effects of the article, and that the said statements were false and fraudulent; (b) that the labels of the bottles bore the statement, to wit, "Standard Of Strength—Each C. C. represents one gram of bark containing four per cent ether, soluble alkaloids", and that the said statement was false and misleading.

Misbranding of the fluidextract of conium fruit was charged under the allegation that the label bore the statement, to wit, "Fluid Extract Conium Fruit, N. F."; that the National Formulary did not recognize fluidextract of conium fruit; that the said statement was false and misleading; under the allegation that the label bore the statement, to wit, "Standard of Strength—0.35–0.45% of coniine weighed as hydrochloride"; and that the said statement was false and misleading.

Misbranding of the fluidextract of ipecac was charged under the allegation that the label bore the statement, to wit, "Standard of Strength—0.35–0.45% Alkaloids"; and that the said statement was false and misleading.

Misbranding of the elixir of aloin, belladonna, and strychnia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm containing \* \* \* Ext. Belladonna Leaves,  $\frac{1}{8}$  grain; Strychnia, 1–60 grain \* \* \*"; and that the said statement was false and misleading.

Misbranding of the elixir of calisaya bark, iron, bismuth, and strychnia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm containing 5 grains of Calisaya Bark, \* \* \*"; and that the said statement was false and misleading.

Misbranding of the elixir of bismuth and hydrastia was charged under the allegation that the label bore the statement, to wit, "Each fluid drachm contains: \* \* \* Hydrastia Alkaloid,  $\frac{1}{8}$  grain"; and that the said statement was false and misleading.

Misbranding of the Elixir Anti-Malarial was charged under the allegations that the label bore the statement, to wit, "Each fluid drachm contains: \* \* \* Cinchona Alk., 1 gr."; and that the said statement was false and misleading.

Misbranding of the elixir of calisaya, iron, and strychnine was charged under the allegation that the label bore the statement, to wit, "Each fluid ounce represents: Calisaya Bark, 40 grains \* \* \*"; and that the said statement was false and misleading.

On July 9, 1935, no claimant having appeared in any of the 10 cases, judgment of condemnation, forfeiture, and destruction was entered in each.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25105. Adulteration of tincture of goldenseal. U. S. v. One 16-Fluid-Ounce Bottle and Eight 4-Fluid-Ounce Bottles, more or less, of Tincture of Goldenseal. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35568. Sample no. 28494-B.)**

This article was represented as meeting the requirements of the National Formulary and was found upon examination to have had a potency that differed from that required by the formulary.

On June 4, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine bottles of tincture of goldenseal at New Orleans, La., alleging that it had been shipped in interstate commerce, on or about March 27, 28, and 30, 1935, by the Southwestern Drug Corporation, from Houston, Tex., to New Orleans, La., and charging adulteration in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottle) "From the Laboratory of Houston Drug Company, Houston, Texas."