

Drug Exchange from Washington, D. C., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted essentially of ammonium chloride, sugar, alcohol, water, and small quantities of creosote, pine tar, and eucalyptol.

The article was alleged to be misbranded in that the following statements, borne on the bottle labels, on display cartons, and on an advertising poster accompanying the shipment, falsely and fraudulently represented that it was capable of producing the curative or therapeutic effects claimed in said statements: (Bottle labels) "\* \* \* quickly relieves persistent Coughs, \* \* \* Spasmodic Croup, Bronchial Congestion, Whooping Cough. \* \* \* Adults—Sip enough to cover throat every 15 to 20 minutes until relieved, \* \* \* Children—For whooping cough and croup, \* \* \* should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved"; (display cartons) "\* \* \* for Coughs \* \* \* and Bronchial Congestion Quick Relief To Persistent And Chronic Cases Recommended for Spasmodic Croup And Whooping Cough. \* \* \* Stops Coughs \* \* \* Creosote—It is used in the treatment of tuberculosis, pneumonia and bronchitis. It is recommended and asserted to have equally beneficial effect upon the bronchial mucous. Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. Its beneficial influence in this disease can be ascribed to its stimulating effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist. Squills—\* \* \* Used as an expectorant in bronchitis and Spasmodic Croup. Oil Eucalyptus—Oil Eucalyptus is an active germicide. It is absorbed through the intestinal tract. Oil Eucalyptus is used as an antiseptic especially in the treatment of infections of the upper respiratory tract, and as a stimulating expectorant in chronic bronchitis and tuberculosis. It has been especially praised in asthma. Grindelia—Chiefly used as an antispasmodic in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasms. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup. Senega—Asserted in the treatment of Catarrhal affections, Coughs, \* \* \* Croup, Whooping Coughs, Asthma, etc."; (window poster) "Stop that Cough, \* \* \* or Croup. \* \* \* quickly relieves persistent Coughs. \* \* \* Spasmodic Croup, Bronchitis, Asthma, Whooping Cough. Prevents Pneumonia."

The article was alleged to be misbranded further (1) in that the statement, "Chloroform 3 Mi. to oz.", borne on the bottle labels, was false and misleading when applied to an article that contains less than 3 minims of chloroform to an ounce; and (2) in that the statement, "Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws", borne on the bottle labels, was false and misleading in that the article had not been examined and approved by the Government of the United States, it did not comply with the law, and the Government had not guaranteed that it did so comply.

On December 5, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**26822. Misbranding of solution carbon tetrachloride compound. U. S. v. The National Drug Co. Plea of nolo contendere. Judgment of guilty. Fine, \$50 and costs. (F. & D. no. 38590. Sample no. 64570-B.)**

This case involved a drug product that contained carbon tetrachloride, a potentially dangerous drug, in an amount greatly in excess of that declared on the label.

On November 23, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the National Drug Co., a corporation, of Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act on or about May 6, 1935, from the State of Pennsylvania into the State of Georgia of a quantity of solution carbon tetrachloride compound that was misbranded. The article was labeled in part: "Comp. Tetra-

chloride . . . . . 61 grs. Castor Oil each q. s. 1 fl. oz. \* \* \* The National Drug Co. Philadelphia, U. S. A."

The article was alleged to be misbranded in that the statement, "Carbon Tetrachloride 61 grs. \* \* \* each q.s. 1 fld. oz.", borne on the bottle label, was false and misleading since it represented that each fluid ounce of the article contained 61 grains of carbon tetrachloride; whereas each fluid ounce contained more than 61 grains, namely, not less than 109.5 grains of carbon tetrachloride.

On January 15, 1937, a plea of nolo contendere having been entered, the defendant was adjudged guilty and fined \$50 and costs.

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

**26823. Adulteration and misbranding of gauze pads. U. S. v. 600 Boxes of Gauze Pads. Default decree of condemnation and destruction. (F. & D. no. 38709. Sample nos. 17433-C, 17434-C.)**

The gauze pads in this interstate shipment were labeled with a false and misleading representation that they were sterile; and with a false and misleading misrepresentation as to the identity and address of the manufacturer of the article.

On November 25, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 600 boxes of gauze pads at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 26, 1936, by the Handy Pad Supply Co., from Worcester, Mass., and that it was adulterated and misbranded in violation of the Food and Drugs Act as amended.

Examination of the pads showed that they were not sterile, but were contaminated with both aerobic and anaerobic bacteria.

The article was alleged to be adulterated in that its purity fell below the professed standard under which it was sold, namely, "Sterilized."

Said article was alleged to be misbranded in that the statement "Sterilized", borne on the label, was false and misleading when applied to an article that was not sterile but was contaminated with both aerobic and anaerobic bacteria. Said article was alleged to be misbranded further in that the statement, "Guarantee Truss Co., 641 Amsterdam Ave., 3-5 E. 116th & 449 E. 149th Sts., New York, N. Y.", borne on the boxes, was false and misleading in that the name and address stated were not the name and address of the manufacturer of the article.

On December 5, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**26824. Misbranding of Gay. U. S. v. 120 Packages and 99 Packages of Gay. Default decrees of condemnation and destruction. (F. & D. nos. 38732, 38747. Sample nos. 15369-C, 27964-C.)**

The quantity or proportion of acetophenetidin, a derivative of acetanilid, contained in this article was not declared on the label; the package contained a statement that it contained no harmful drugs and that it could be used with utmost confidence, when it did contain a drug that might be harmful and could not be taken with the utmost confidence in the dose recommended; and the package and label bore and contained false and fraudulent representations regarding its curative or therapeutic effects.

On December 1 and 4, 1936, the United States attorneys for the District of New Jersey and the District of Delaware, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 120 packages of Gay at Trenton, N. J., and 99 packages at Wilmington, Del., alleging that the article had been shipped in interstate commerce on or about October 3, 1936, by the F. H. Fowles Co., from Philadelphia, Pa., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that the article consisted of tablets containing acetylsalicylic acid (approximately 2.15 grains), acetophenetidin (approximately 1.73 grains), caffeine (0.25 grain), and plant material including viburnum.

The article was alleged to be misbranded in that the package failed to bear on the label a statement of the quantity or proportion of acetophenetidin, a derivative of acetanilid, contained therein; in that the statement in a leaflet contained in the package, "Gay contains no harmful drugs or narcotics—is not habit forming—may be used with utmost confidence. Dose: One or two tablets taken in water. Repeat in one hour if necessary", was false and misleading