produced a solid mass, indicating that such lot was non-destearinated, and the standard of quality and purity was not declared on its label.

The Missouri lot was alleged to be misbranded in that the statement in its labeling, "Guaranteed to Contain Not Less Than 200 A. O. A. C. Units Vitamin D Not Less Than 1000 Units Vitamin A per Gramme of Oil," was false and misleading since it contained not more than 100 A. O. A. C. units of vitamin D and not more than 700 U. S. P. units of vitamin A per gram.

The Ohio lot was alleged to be misbranded in that the statement in its labeling, "Guaranteed to Contain Not Less Than 200 A. O. A. C. Units Vitamin D * * * per Gramme of Oil," was false and misleading since it contained not more than 85 A. O. A. C. units of vitamin D per gram.

On September 29, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of $100.

1016. Adulteration and misbranding of surgical catgut. U. S. v. Flanders-Day Co. Plea of guilty. Fine, $100. (F. D. C. No. 8821. Sample Nos. 22551–F, 32801–F, 32806–F.)

On May 10, 1943, the United States attorney for the District of Massachusetts filed an information against the Flanders-Day Co., a corporation, Boston, Mass., alleging shipment on or about August 25, September 17, and October 14, 1942, from the State of Massachusetts into the States of New York and Pennsylvania of quantities of surgical catgut which was adulterated and misbranded. The article was labeled in part: (Carton) "Flanders Standard Sutures and Ligatures * * * U. S. P. Surgical Catgut Sterile," and (tubes in 2 of the shipments) "U. S. P. Surgical Catgut."

Examination of samples of the article showed that it was contaminated with viable aerobic and, in 2 of the shipments, anaerobic, spore-bearing bacteria.

The article was alleged to be adulterated in that it purported to be and was represented as a drug, surgical catgut, the name of which is recognized in the United States Pharmacopoeia (second supplement, eleventh revision), an official compendium, but its quality and purity fell below the standard set forth therein since it was not sterile and did not meet the test for sterility of solids described in that compendium.

It was alleged to be misbranded in the statements in the labeling, (cartons) "U. S. P. Surgical Catgut Sterile," and (tubes) "U. S. P. Surgical Catgut," were false and misleading.

On May 25, 1943, the defendant having entered a plea of guilty, the court imposed a fine of $100.

1017. Adulteration and misbranding of Codecol and ephedrine sulfate solution. U. S. v. Harvey Laboratories, Inc. Plea of nolo contendere. Total fine, $200. (F. D. C. No. 8834. Sample Nos. 23000–F, 23326–F.)

On April 30, 1943, the United States attorney for the Eastern District of Pennsylvania filed an information against the Harvey Laboratories, Inc., Philadelphia, Pa., alleging shipment on or about September 22 and December 12, 1942, from the State of Pennsylvania into the State of New Jersey of quantities of Codecol and ephedrine sulfate solution that were adulterated and misbranded.

Adulteration of the articles was alleged in that their strength differed in the following respects from that which they were represented to possess: The Codecol was represented to contain, in each fluid ounce, 8 grains of ammonium chloride and ½ grain of antimony potassium tartrate, whereas it contained not more than 6.73 grains of ammonium chloride and not more than 0.1 grain of antimony potassium tartrate per fluid ounce; the ephedrine sulfate solution was represented to contain 1 percent of ephedrine sulfate, whereas it contained not more than 0.78 percent of ephedrine sulfate.

The articles were alleged to be misbranded in that the statements appearing in the labeling of the Codecol, "Ammonium Chloride . . . 8 gr. Antimony Potassium Tartrate . . . ½ gr. * * * qs. . . . 1 oz.," and, "Ephedrine Sulfate 1%" borne on the bottle label of the ephedrine sulfate solution, were false and misleading.

On June 2, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of $50 upon each of the 4 counts, a total of $200.

1018. Adulteration and misbranding of elixir of iron, quinine and strychnine phosphates. U. S. v. The Liebenthal Brothers Co. (Marlo Products Co.). Plea of guilty. Fine, $500 and costs. (F. D. C. No. 8772. Sample No. 5926–F.)

On January 29, 1943, the United States attorney for the Northern District of Ohio filed an information against the Liebenthal Brothers Co., a corporation doing business under the name of the Mario Products Co., Cleveland, Ohio, alleging

shipment on or about May 7, 1942, from the State of Ohio into the State of Missouri of a quantity of elixir of iron, quinine, and strychnine phosphates which was adulterated and misbranded.

The article was alleged to be adulterated in that it purported to be a drug the name of which is recognized in the National Formulary, an official compendium, but its strength differed from the standard set forth therein since it contained not more than 4.22 grams of quinine phosphate per 1,000 cc., whereas it should have contained 5 grams of quinine phosphate per 1,000 cc.; and the respect in which it differed from the standard set forth in the Formulary was not plainly stated on the label.

It was alleged to be misbranded in that the statements in its labeling, "Elixir Iron Quinine and Strychnine Phosphates. * * * This is not the N. F. Formula. It varies from the N. F. formula in that it contains 9.5% alcohol and 12% glycerin by volume whereas the N. F. product contains approximately 24% alcohol and 30% glycerine by volume," were false and misleading since these statements represented and suggested that the strength of the article conformed in all respects with the standard for elixir of iron, quinine and strychnine phosphates set forth in the National Formulary with the exceptions indicated, whereas its strength did not conform to the standard with the said exceptions, but differed from the standard in the further respect that it was deficient in quinine phosphate.

On April 13, 1943, the defendant having entered a plea of guilty, the court imposed a fine of $500 and costs.

1019. Adulteration and misbranding of sterile solution of chorionic gonadotropic hormone. U. S. v. Tuteur & Co., Inc. Plea of guilty. Fine, $750. (F. D. C. No. 8775. Sample No. 22909–F.)

On July 30, 1943, the United States attorney for the Southern District of New York filed an information against Tuteur & Co., Inc., New York, N. Y., alleging shipment on or about August 26, 1942, from the State of New York into the State of Pennsylvania of a quantity of the above-named product which was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess, since it purported and was represented to possess, in each 10 cc. thereof, a physiological activity equivalent to 5,000 International Units of chorionic gonadotropic hormone, and, in each cubic centimeter thereof, a physiological activity equivalent to 500 International Units of anterior pituitary-like sex hormone, whereas the article possessed, in each 10 cc., a physiological activity equivalent to not more than 1,650 International Units of chorionic gonadotropic hormone, and, in each cubic centimeter, a physiological activity equivalent to not more than 165 International Units of anterior pituitary-like sex hormone.

It was alleged to be misbranded in that the statements, "10 cc. * * * Package 5,000 International Units Sterile Solution Chorionic Gonadotropic Hormone * * * Contains Anterior pituitary-like sex hormone standardized to a potency of 500 International Units per cc.," borne on the label, were false and misleading.

On August 12, 1943, the defendant having entered a plea of guilty, the court imposed a fine of $375 on each of the 2 counts in the information, a total of $750.

1020. Adulteration and misbranding of sterile solution of chorionic gonadotropic hormone. U. S. v. 99 Vials of Sterile Solution Chorionic Gonadotropic Hormone. Decree of condemnation and destruction. (F. D. C. No. 8566. Sample No. 22909–F.)

Examination showed that the potency of this preparation was not greater than 165 International Units per cubic centimeter of chorionic gonadotropic hormone.

On October 13, 1942, the United States attorney for the Eastern District of Pennsylvania filed a libel against 99 vials of the above-named product at Philadelphia, Pa., alleging that the article had been shipped on or about August 28, 1942, from New York, N. Y., by Tuteur & Co., Inc.; and charging that it was adulterated and misbranded. Some of the vials were labeled in part: "10 cc. * * * Package 5,000 International Units * * * Contains Anterior pituitary-like sex hormone standardized to a potency of 500 International Units per cc." Other vials when shipped were labeled in part: "10 cc. * * * Package 1,000 International Units * * * Contains Anterior pituitary-like sex hormone standardized to a potency of 100 International Units per cc."; but after their receipt the shipper represented to the consignee that the labels were in error and that the product actually contained 500 International Units per cubic centimeter.