

1165. Adulteration and misbranding of sulfanilamide capsules. U. S. v. Peerless Serum Co. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 10615. Sample No. 5687-F.)

On January 24, 1944, the United States attorney for the District of Kansas filed an information against the Peerless Serum Co., a corporation, Kansas City, Kans., alleging shipment of a quantity of sulfanilamide capsules from the State of Kansas into the State of Arkansas on or about April 30, 1943.

The article was alleged to be adulterated in that its strength differed from that which it purported and was represented to possess since it was represented to contain 240 grains of sulfanilamide per capsule, whereas it contained 306.17 grains of sulfanilamide per capsule.

It was alleged to be misbranded in that the statement on its label, "Sulfanilamide * * * 240 grs.," was false and misleading.

On January 31, 1944, the defendant having entered a plea of guilty, the court imposed a fine of \$100 and costs.

1166. Adulteration and misbranding of tincture of iodine and peroxide of hydrogen, and misbranding of syrup of cocillana compound. U. S. v. Boston Drug & Chemical Co. Plea of guilty. Fine, \$100. (F. D. C. No. 10599. Sample Nos. 19226-F, 19600-F, 20429-F.)

On January 14, 1944, the United States attorney for the District of Massachusetts filed an information against the Boston Drug & Chemical Co., a corporation, Boston, Mass., alleging shipment from the State of Massachusetts into the State of Maine of a quantity of tincture of iodine, on or about December 23, 1942, and into the State of Rhode Island of a quantity of hydrogen of peroxide and syrup of cocillana compound, on or about December 2, 1942, and April 2, 1943, respectively.

The tincture of iodine was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in an official compendium, the United States Pharmacopoeia, but its strength differed from or its quality fell below the standard set forth therein since the Pharmacopoeia provides that tincture of iodine shall contain, in each 100 cc., not less than 6.8 grams of iodine and not less than 4.7 grams of potassium iodide, whereas the article contained iodine in amounts varying from 3.67 grams to 4.16 grams per 100 cc., and potassium iodide in amounts varying from 3.19 grams to 3.49 grams per 100 cc.; and its difference in strength and quality from the standard set forth in the compendium was not plainly stated on the label. The article was alleged to be misbranded in that the statement "Tincture Iodine U. S. P.," borne on its label, was false and misleading.

The hydrogen of peroxide was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in an official compendium, the United States Pharmacopoeia, and its strength differed from and its quality fell below the standard set forth therein since the Pharmacopoeia provides that an article recognized under the name solution of hydrogen peroxide shall contain, in each 100 cc., not less than 2.5 grams of hydrogen peroxide, whereas the article contained hydrogen peroxide in amounts varying from 1.43 grams to 1.57 grams per 100 cc.; and its difference in strength and quality from the standard set forth in the compendium was not plainly stated on the label. It was alleged to be misbranded in that the statements on its label which represented and suggested that it consisted of solution of hydrogen peroxide conforming with the specifications of the United States Pharmacopoeia; that it contained 3 percent of hydrogen peroxide; and that it contained one-fifth grain of acetanilid per fluid ounce were false and misleading since the article did not consist of solution of hydrogen peroxide conforming with the specifications of the Pharmacopoeia, and it contained no acetanilid and less than 3 percent of hydrogen peroxide.

Analysis of the syrup of cocillana compound disclosed that it consisted essentially of plant extractives, alcohol, sugar, and water. The article was alleged to be misbranded in that the statement appearing on its labels, "For Coughs, Colds, and Irritated Conditions of the Throat," was false and misleading since the article would not be efficacious in the cure, mitigation, treatment, or prevention of coughs, colds, or irritated conditions of the throat.

On January 25, 1944, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100.