On October 4, 1944, a plea of guilty having been entered on behalf of the corporation, the court imposed a fine of $1,500 on each of the 12 counts in the information, a total fine of $18,000.

1363. Adulteration and misbranding of Gestrone Chorionic Gonadotropin, and adulteration of chorionic gonadotropic hormone. U. S. v. Pro-Medico Laboratories, Inc., and Samuel Heller. Pleas of guilty. Corporate defendant fined $750, and individual defendant sentenced to serve 3 months in jail. (F. D. C. No. 7745. Sample Nos. 54960–E, 54961–E, 77049–E.)

On June 29, 1943, the United States attorney for the Eastern District of New York filed an information against the Pro-Medico Laboratories, Inc., Brooklyn, N. Y., and Samuel Heller, president of the corporation, alleging shipment of quantities of the above-named products on or about April 28 and May 27, 1942, from the State of New York into the State of Pennsylvania.

The chorionic gonadotropic hormone and a portion of the Gestrone Chorionic Gonadotropin were alleged to be adulterated in that their strength differed from and their quality fell below that which they purported and were represented to possess, since the former was represented to possess in each cubic centimeter a physiological activity of 500 International Units of anterior pituitary-like sex hormone, and the latter was represented to contain in each cubic centimeter 100 International Units of anterior pituitary-like hormone, whereas the former possessed not more than 83.5 International Units and the latter not more than 17.2 International Units of anterior pituitary-like sex hormone in each cubic centimeter.

The remainder of the Gestrone Chorionic Gonadotropin was alleged to be misbranded in that certain statements in its labeling were false and misleading since they represented and suggested that the article possessed in each cubic centimenter a physiological activity of 500 International Units of anterior pituitary-like sex hormone and that it had been physiologically standardized to that potency, whereas it possessed a physiological activity of not more than 83 International Units of anterior pituitary-like sex hormone in each cubic centimeter.

On January 10, 1945, pleas of guilty having been entered on behalf of the defendants, the court fined the corporate defendant $250 on each of 3 counts, a total fine of $750. The individual defendant was sentenced to 3 months in jail on each of the 3 counts, the sentences to run concurrently.

1364. Adulteration of calcium chloride. U. S. v. Pro-Medico Laboratories, Inc., and Samuel Heller. Pleas of guilty. Fines, $250 against the corporate defendant and $500 against the individual defendant. (F. D. C. No. 11425. Sample Nos. 36460–F, 36476–F.)

On September 12, 1944, the United States attorney for the Eastern District of New York filed an information against the Pro-Medico Laboratories, Inc., Brooklyn, N. Y., and Samuel Heller, president of the corporation, alleging shipment of a quantity of calcium chloride on or about September 25, 1943, from the State of New York into the State of Colorado.

The article was alleged to be adulterated in that it purported to be and was represented as ampuls of calcium chloride, an aqueous ampul solution the name of which is recognized in the National Formulary, an official compendium, but its quality or purity fell below the official standard since the National Formulary provides that aqueous ampul solutions shall be substantially free from undissolved material, whereas the article was not substantially free from undissolved material; and its difference in quality or purity from the official standard was not plainly stated, or stated at all, on its label.

On January 10, 1945, pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of $250 against the corporate defendant and a fine of $500 against the individual defendant.

1365. Adulteration and misbranding of potassium chloride. U. S. v. Frederick A. Klenk (Excel Pharmacal Co.). Plea of guilty. Fine, $250. (F. D. C. No. 9678. Sample No. 9169–F.)

On August 3, 1944, the United States attorney for the Southern District of New York filed an information against Frederick A. Klenk, trading as the Excel Pharmacal Co., New York, N. Y. It was alleged in the information that on or about June 1, 1942, the defendant sold and delivered to the Columbia Medical Laboratories, New York, N. Y., a quantity of an article labeled as "Potassium Chloride"; that at or about the time of the sale and delivery, the defendant furnished to the Columbia Medical Laboratories an invoice containing a guaranty that the article was not adulterated or misbranded within the meaning of the "Federal Food and Drug Act"; that on or about September 22, 1942, the holder of the guaranty introduced and delivered for introduction into interstate com-

merce at New York, N. Y., a quantity of the article for delivery to Jasper, Tex.; and that on or about January 16, 1943, the defendant furnished to the Columbia Medical Laboratories a written instrument to the effect that the guaranties on its invoices, since the Federal Food, Drug, and Cosmetic Act became effective, were to be considered a guaranty under that Act. The information alleged further that the guaranty given by the defendant was false, since the article sold and delivered under the guaranty was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its purity and quality fell below that which it purported and was represented to possess, since it purported to be and was represented to consist of potassium chloride tablets, whereas it consisted of ammonium chloride tablets. It was alleged to be adulterated further in that ammonium chloride tablets had been substituted for potassium chloride tablets.

The article was alleged to be misbranded in that the statement "Potassium Chloride 5 Grains," borne on its label, was false and misleading; and in that it consisted of ammonium chloride and was offered for sale under the name of another drug, potassium chloride.

On August 21, 1944, the defendant having entered a plea of guilty, the court imposed a fine of $250.

1366. Adulteration and misbranding of solution of epinephrine hydrochloride. U. S. v. Harvey Laboratories, Inc. Plea of nolo contendere. Fine, $600. (F. D. C. No. 11433. Sample Nos. 57101–F, 57115–F.)

On July 12, 1944, 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 9 and November 8, 1943, from the State of Pennsylvania into the State of New York of a quantity of ampuls of solution epinephrine hydrochloride. The article was labeled in part: (Boxes containing ampuls) "Epinephrine Hydrochloride, Harvey."

The article was alleged to be adulterated in that it purported to be and was represented as solution of epinephrine hydrochloride, a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its strength differed from and its quality fell below the standard set forth in that compendium since its potency was not more than 60 percent of that of the official product; and its difference in strength and quality from the official standard was not plainly stated, or stated at all, on the label.

The article was alleged to be misbranded in that the statement, "Solution Epinephrine Hydrochloride 1:1000," on the ampul label, was false and misleading since the article contained not more than 0.6 part of epinephrine hydrochloride in each 1,000 parts.

On September 6, 1944, a plea of nolo contendere having been entered, a fine of $150 on each of the 4 counts, a total fine of $600, was imposed.

1367. Adulteration and misbranding of powdered boracic acid. U. S. v. G. C. Gennert (G. Gennert, New York, N. Y.). Plea of guilty. Fine, $300. (F. D. C. No. 7203. Sample No. 87105–E.)

On March 30, 1944, the United States attorney for the Southern District of New York filed an information against G. C. Gennert, trading as G. Gennert, New York, N. Y., alleging shipment on or about August 29, 1941, of a quantity of powdered boracic acid from the State of New York into the District of Columbia.

The article was alleged to be adulterated in that a substance, metol, had been mixed and packed with it so as to reduce its quality.

The article was alleged to be misbranded in that the label statement, "Boracic Acid Powdered U. S. P. For Photography," was false and misleading in that the statement represented and suggested that the article conformed with the purpose and object of the United States Pharmacopoeia, namely, that the article, which is recognized in the United States Pharmacopoeia, was fit for medicinal use, whereas the article did not conform with the purpose and object of the United States Pharmacopoeia since it was not fit for medicinal use by reason of the fact that it contained 1.47 percent of metol.

On September 22, 1944, the defendant entered a plea of guilty and was fined $300.

1368. Adulteration of oil of lemon. U. S. v. Standard Synthetics, Inc. Plea of guilty. Fine, $100 on each of 5 counts; sentence suspended on 3 remaining counts. (F. D. C. No. 10623. Sample Nos. 11304–F, 11326–F to 11328–F, incl.)

On October 4, 1944, the United States attorney for the Southern District of New York filed an information against the Standard Synthetics, Inc., New