ing and causing the introduction and delivery for introduction into interstate commerce of various drugs found to be in violation of the law.

The complaint alleged further that the defendants had prepared and shipped in interstate commerce quantities of ampuls of solution of sodium citrate that showed a serious shortage of sodium citrate; ampuls of solution of colchicine salicylate and iodide that contained less than 50 percent of the declared amount of salicylate and iodide; sterile solution of strontium bromide that contained mold and yeast and was contaminated with foreign particles; liver extract iron vitamin B_1 that was 90 percent deficient in its vitamin B_1 content; sterile solution of dextrose and sterile solution of calcium gluconate that contained undissolved material; and sterilized double distilled water that contained undissolved material and pyrogens. It was charged that each of the products so prepared and shipped was adulterated, and that the liver extract was also misbranded.

The complaint alleged further than an information charging the shipment in interstate commerce of a quantity of an adulterated and misbranded drug was filed against the corporation on December 30, 1942; and that a plea of nolo contendere was entered on behalf of the corporation, and a fine of $100 was imposed. It was alleged further that since March 1941, numerous investigations of the manufacturing plant of the defendants and analyses of samples of products manufactured by them had been made by the Food and Drug Administration. The analyses disclosed the existence of insanitary conditions and the presence of filth, dust, animal excreta, and other foreign matter in and around the place of manufacture and packing and in and around the raw materials and substances out of which the drugs were manufactured, prepared, and packed for shipment; that inefficiency and intolerable drug manufacturing practices and control procedures existed where the utmost of efficiency should have prevailed to insure the integrity of drugs, some of which are hypodermically administered; that there was lack of proper facilities for filling and sealing ampuls in order to preclude contamination with foreign filth, fever-producing substances, and pathogenic organisms; and that dangerous laxity in identification of stored raw materials and drugs in process of manufacture, and other objectionable practices and conditions, existed in the plant.

The complaint alleged further that the defendants, unless restrained by the court, would continue to introduce and offer for introduction into interstate commerce adulterated drugs; and prayed that the defendants be perpetually enjoined from doing so; and further prayed that a preliminary injunction be granted, restraining the defendants during the pendency of the action.

On September 13, 1944, the court entered an order to show cause why, pending the outcome of the action, the defendants should not be enjoined and restrained. On October 4, 1944, the defendants having consented to the entry of a final decree, a permanent injunction was entered, as prayed in the complaint.

1415. Action to enjoin and restrain distribution of adulterated and misbranded drugs. U. S. v. J. L. Hopkins & Co. Consent decree granting injunction. (Inj. No. 69.)

On July 20, 1944, the United States attorney for the Eastern District of New York filed a complaint against J. L. Hopkins & Co., a corporation, Brooklyn, N. Y., alleging that on or before May 25, 1944, and thereafter, the defendant had been introducing and delivering for introduction into interstate commerce certain drugs that were adulterated in that they consisted in whole or in part of filthy substances; and in that they had been prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth. The complaint prayed that the defendant be enjoined and restrained forever from distributing adulterated or misbranded drugs in interstate commerce.

On July 20, 1944, the court issued a temporary restraining order and an order to show cause why a preliminary injunction should not be entered. On November 16, 1944, the defendant and the Government having consented to the entry of a decree, judgment was entered enjoining and restraining the defendant for a period of 6 months from committing the acts complained of. The court retained jurisdiction for the purpose of enforcing or modifying the decree, or for the purpose of granting additional or supplemental relief.

1416. Adulteration of granulated wild cherry bark and ground buckthorn bark. U. S. v. 2 Barrels of Granulated Wild Cherry Bark and 1 Bag of Ground Buckthorn Bark. Decree of condemnation. Products ordered destroyed. (F. D. C. No. 13090. Sample Nos. 77418–F, 77419–F.)

On August 3, 1944, the United States attorney for the Southern District of New York filed a libel against 2 barrels, each containing approximately 213 pounds,

of granulated wild cherry bark and 1 bag, containing approximately 100 pounds, of ground buckthorn bark at New York, N. Y., alleging that the articles had been shipped on or about February 15 and March 30, 1944, by S. B. Penick & Co., from Jersey City, N. J.

The articles were alleged to be adulterated (1) in that they consisted in whole or in part of filthy substances by reason of the presence, in the wild cherry bark, of insect parts, mites, insect excreta, and rodent hairs and, in the buckthorn bark, of insect parts, mites, and rodent hair fragments; (2) in that the articles had been prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth; and (3) in that they purported to be and were represented as wild cherry bark and buckthorn bark, drugs the names of which are recognized in official compendia, the United States Pharmacopoeia and the National Formulary, respectively, but their quality and purity fell below the standards set forth in such compendia, since they were contaminated with filth.

On April 11, 1945, the sole intervenor having withdrawn its claim and answer, judgment of condemnation was entered, and the products were ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

1417. Adulteration of triple distilled water. U. S. v. The Diarsenol Co., Inc. Plea of guilty. Fine, $1,050. (F. D. C. No. 12567. Sample Nos. 23467–F, 23665–F, 23734–F.)

On November 9, 1944, the United States attorney for the Western District of New York filed an information against the Diarsenol Co., Inc., Buffalo, N .Y., alleging shipment of quantities of triple distilled water between the approximate dates of July 3 and August 21, 1943, from the State of New York into the State of New Jersey.

The article was alleged to be adulterated in that, by reason of the fact that it was dispensed as a vehicle, solvent, or diluent for a substance to be administered parenterally, it purported to be "Water for Injection," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium; but its quality and purity fell below the standard set forth therein, since it contained pyrogens and undissolved material; and its difference in quality and purity from the official product was not plainly stated, or stated at all, on its label. The article was alleged to be adulterated further in that pyrogens and undissolved material had been mixed and packed with it so as to reduce its quality.

On January 2, 1945, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $350 on each of 3 counts, a total fine of $1,050.

1418. Adulteration of triple distilled water. U. S. v. 9 Cartons and 48 Boxes of Triple Distilled Water (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 13286, 14137, 14484, 14510. Sample Nos. 62001–F, 67995–F, 86952–F, 87510–F, 87511–F.)

Between August 22 and December 6, 1944, the United States attorneys for the District of Minnesota, the Northern District of Illinois, the Southern District of Alabama, and the Southern District of Ohio filed libels against the following quantities of triple distilled water: 9 cartons, each containing 100 ampuls, and 48 boxes, each containing 10 ampuls, at Minneapolis, Minn.; 84 boxes, each containing 10 ampuls, at Chicago, Ill.; 70 boxes, each containing 10 ampuls, at Mobile, Ala.; and 11 boxes, each containing 12 vials, at Springfield, Ohio. The libels alleged that the article had been shipped between the approximate dates of November 10, 1943, and April 5, 1944, by the American Medical Specialties Co., Inc., from New York, N. Y.

The article was alleged to be adulterated in that it purported to be water for injection, a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its quality and purity fell below the standard set forth therein since all lots were not clear but contained insoluble suspended material, and since the Minnesota lot did not meet the official test for pyrogens but contained pyrogenic substances.

Between October 26, 1944, and February 20, 1945, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

*See also Nos. 1407, 1414, 1416.