ALLEGED SHIPMENT: On or about March 5 and 9, 1948, from the State of Missouri into the States of Iowa and Illinois.

NATURE OF CHARGE: *Neo-Lixir.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, in that each fluid ounce of the article purported and was represented to contain 4 grains of U. S. P. Reference Pepsin, whereas each fluid ounce of the article contained less than 4 grains of U. S. P. Reference Pepsin. Misbranding, Section 502 (a), the label statement "Each Fluid Ounce Contains 4 grains U. S. P. Reference Pepsin" was false and misleading.

So-Lix-Co. Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since each fluid ounce purported and was represented to contain 40 grains of salicylic acid (as sodium salicylate), whereas it contained less than that amount of salicylic acid (as sodium salicylate).

DISPOSITION: April 7, 1949. Pleas of guilty having been entered, the court imposed a fine of $300 against each defendant.

2775. Adulteration and misbranding of estrogenic substance. U. S. v. Gregory S. Brooks and Intramed Co., Inc. Motion denied for dismissal of information. Pleas of guilty. Fine of $200 against corporation. Fine of $200 and sentence of 1 year in jail against individual; jail sentence suspended and individual placed on probation for 1 day. (F. D. C. No. 24233. Sample No. 45060-H.)

INFORMATION FILED: March 22, 1949, Southern District of New York, against the Intramed Co., Inc., New York, N. Y., and Gregory S. Brooks, president of the corporation.

ALLEGED SHIPMENT: On or about April 17, 1946, from the State of New York into the State of California.

LABEL, IN PART: "2000 cc Natural Whole Estrogenic Substance In Sesame Oil Consisting Principally of Estrone and Such Other Auxiliary Hormones As Are Normally Present In Gravid Mares' Urine Each 1 cc is Equivalent to 20,000 I. U. Rated as Estrone."

NATURE OF CHARGE: Adulteration, Section 501 (b) (2), estradiol had been substituted in part for natural whole estrogenic substance in sesame oil.

Misbranding, Section 502 (a), the label of the article was false and misleading since the article was not "Natural Whole Estrogenic Substance In Sesame Oil Consisting Principally of Estrone and Such Other Auxiliary Hormones As Are Normally Present In Gravid Mares' Urine."

DISPOSITION: A motion to dismiss the information was filed on behalf of the defendants, alleging as grounds for such dismissal that the defendants had received the article in interstate commerce and made delivery in good faith; and that a letter received from the supplier which contained, among other things, the representation that the product may be labeled "Natural Whole Estrogenic Substance, as derived from Gravid Mares' Urine," constituted a guaranty. The Government, in its reply, denied those allegations; and, in addition, it alleged that if the letter did constitute a guaranty as contemplated by the Act, that the defendants had exceeded its terms in labeling the product as aforesaid.

On May 16, 1949, the court denied the defendants' motion without prejudice, basing the denial not on the question of law but because the facts alleged in defendants' motion had not been proved or stipulated. Pleas of guilty were

entered on behalf of both defendants on June 8, 1949, and the court sentenced each defendant to pay a fine of $200. The individual defendant, Gregory S. Brooks, also received a sentence of 1 year in jail which, however, was suspended, and he was placed on probation for 1 day.

2776. Adulteration and misbranding of posterior pituitary injection. U. S. v. 72 Ampuls * * *. (F. D. C. No. 27172. Sample No. 58105–K.)

LIBEL FILED: April 27, 1949, District of Arizona.

ALLEGED SHIPMENT: On or about February 18, 1949, by E. S. Miller Laboratories, Inc., from Los Angeles, Calif.

PRODUCT: 72 1-cc. ampuls of *posterior pituitary injection* at Phoenix, Ariz. Analysis showed that the potency of the product was less than the potency specified by the United States Pharmacopoeia.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Posterior Pituitary Injection," a drug the name of which is recognized in the United States Pharmacopoeia, and its strength differed from the official standard.

Misbranding, Section 502 (a), the label statement "(10 U. S. P. Units) per cc" was false and misleading as applied to the article, which contained less than 10 U. S. P. units of posterior pituitary per cubic centimeter.

DISPOSITION: June 23, 1949. Default decree of condemnation and destruction.

2777. Adulteration of sodium iodide injection. U. S. v. 11 Cartons * * *. (F. D. C. No. 26863. Sample No. 47081–K.)

LIBEL FILED: March 16, 1949, Western District of New York.

ALLEGED SHIPMENT: On or about October 1, 1948, from Columbus, Ohio.

PRODUCT: 11 cartons, each containing 25 10-cc. ampuls, of *sodium iodide* at Buffalo, N. Y.

LABEL, IN PART: "Sodium Iodide—For Intravenous Administration Only."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as a drug, "Ampuls of Sodium Iodide," the name of which is recognized in the National Formulary, an official compendium, and its quality and purity fell below the official standard since it was contaminated with undissolved material. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 13, 1949. Default decree of condemnation and destruction.

2778. Adulteration of Monocaine. U. S. v. 7,117 Boxes * * *. (F. D. C. No. 26560. Sample No. 33298–K.)

LIBEL FILED: February 23, 1949, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of February 20, 1943, and January 18, 1944, from Brooklyn, N. Y.

PRODUCT: 7,117 boxes of *Monocaine* at Fresno, Calif. Analysis showed that the epinephrine in the product had deteriorated to such an extent that practically none of its potency remained.

LABEL, IN PART: "Monocaine HCL Solution 1% with Epinephrin 1:75,000."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, "Epinephrin 1:75,000." The article was adulterated while held for sale after shipment in interstate commerce.