

Comstock's Dead Shot worm pellets. Misbranding, Section 502 (a), the designation on the container and leaflet "Comstock's Dead Shot Worm Pellets for Round and Pin Worms," the statements on the container "This medicine helps to expel the worms," and the statements in the accompanying leaflet "If you are not sure that the worms and their eggs have been removed the same dose should be taken two weeks after the first dose. Thread Worms—In addition to the internal treatment, it will be necessary in the case of Thread Worms to use an enema * * * Delicate, underweight, or frail users should decrease the dose but continue the remedy three or four nights" were false and misleading since the article was not effective for the removal of round worms, pin worms, or thread worms.

DISPOSITION: W. H. Comstock Co., Ltd., claimant, having petitioned for the removal of the case to the Southern District of New York and the Government having consented, an order was entered on January 11, 1949, directing such removal. On May 3, 1950, the claimant having failed to file an answer to the libel, judgment of condemnation was entered and the court ordered that the product be destroyed.

DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3290. Adulteration and misbranding of Geo-Mineral. U. S. v. 75 Bottles * * *.
(F. D. C. No. 27042. Sample No. 41028-K.)

LIBEL FILED: On or about April 15, 1949, District of Montana.

ALLEGED SHIPMENT: On or about January 27, 1949, by Vi-Jon Laboratories, Inc., from St. Louis, Mo.

PRODUCT: 75 3-ounce bottles of *Geo-Mineral* at Great Falls, Mont., in possession of the Pay Less Drug Store.

LABEL, IN PART: "Geo-Mineral * * * Sole Distributor Geo-Mineral Company, St. Louis 1, Mo."

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of mold. The article was adulterated in interstate commerce.

Misbranding, Section 502 (a), the statements appearing on a placard on display in the store of the consignee, "Geo-Mineral — Stomach Ailments — Weak Kidneys — Rheumatic Pains — Arthritis — Neuritis," were false and misleading since the article was not effective in the treatment of these conditions. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 27, 1949. Default decree of condemnation and destruction.

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

3291. Adulteration and misbranding of Gothestrone. U. S. v. Gotham Pharmaceutical Co., Inc., and Max Grossman. Plea of guilty for corporation and plea of nolo contendere for individual. Fine of \$1,000 against corporation. Sentence of 1 year in penitentiary against individual; sentence suspended and individual placed on probation for 1 year. (F. D. C. No. 28155. Sample Nos. 4736-K, 10057-K.)

INFORMATION FILED: April 28, 1950, Eastern District of New York, against the Gotham Pharmaceutical Co., Inc., Brooklyn, N. Y., and Max Grossman, president of the corporation.

ALLEGED SHIPMENT: On or about June 2 and 22, 1949, from the State of New York into the States of Massachusetts and New Jersey.

LABEL, IN PART: "Gothestrone Macro-crystalline Aqueous Suspension of Natural Estrogenic Hormones."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since it was represented to be suitable and appropriate for intramuscular use, which use requires a sterile product, whereas the article was not suitable and appropriate for such use since it was not sterile but was contaminated with viable micro-organisms.

Misbranding, Section 502 (a), the labeling of the article contained statements which represented and suggested that the article would be suitable and appropriate for intramuscular use, which statements were false and misleading since the article was not suitable and appropriate for such use.

DISPOSITION: October 19, 1950. A plea of guilty having been entered on behalf of the corporation and a plea of nolo contendere on behalf of the individual, the court imposed a fine of \$1,000 against the corporation and a sentence of 1 year in the penitentiary against the individual. The sentence against the individual was suspended, and he was placed on probation for 1 year.

3292. Adulteration of dextro-amphetamine phosphate and dextro-amphetamine sulfate. U. S. v. 1 Drum, etc. (F. D. C. No. 29661. Sample Nos. 73632-K, 73633-K, 73635-K.)

LIBEL FILED: On or about July 27, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about April 21 and May 8 and 16, 1950, by Tru-Synthetics, Inc., from Long Island City, N. Y.

PRODUCT: 1 drum containing 13½ pounds of *dextro-amphetamine phosphate* and 1 drum containing 12½ pounds, and 1 drum containing 15 pounds, of *dextro-amphetamine sulfate*.

LABEL, IN PART: "Batch No. 18 Control No. P62 Dextro-Amphetamine Phosphate" and "Batch No. 18 Control No. SD61 Dextro-Amphetamine Sulfate."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the articles differed from, and their quality fell below, that which they were represented to possess. The product labeled "Dextro-Amphetamine Phosphate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine phosphate and 30 percent of levo-amphetamine phosphate; and the product labeled "Dextro-Amphetamine Sulfate" was represented to consist of approximately 100 percent of that ingredient, whereas it contained approximately only 70 percent of dextro-amphetamine sulfate and 30 percent of levo-amphetamine sulfate.

DISPOSITION: October 17, 1950. Tru-Synthetics, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the products be released under bond for removal of all adulterated ingredients and for reprocessing, so that the products could be brought into compliance with the law.

3293. Adulteration of dl-amphetamine sulfate. U. S. v. 1 Drum * * * (F. D. C. No. 29406. Sample No. 42999-K.)

LIBEL FILED: July 27, 1950, Northern District of Illinois.