

6490. Adulteration and misbranding of chloroform liniment, and adulteration of citrate of magnesia. U. S. * * * v. George Latterner (Brace's Pharmacy). Plea of guilty. Fine, \$40. (F. & D. No. 8722. I. S. Nos. 3884-m, 2230-m, 4553-m, 6917-p.)

On April 20, 1918, United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against George Latterner, trading as Brace's Pharmacy, Washington, D. C., alleging that said defendant, on February 9, 1917, December 19, 1916, May 31, 1917, and July 31, 1917, at the District aforesaid, in violation of the Food and Drugs Act, did offer for sale and sell quantities of an article labeled "Chloroform Liniment. Alcohol 49%. Each Fluid Ounce Contains 144 Minims of Chloroform. * * * W. D. Brace, Pharmacist, Cor. 30th and M Streets N. W., Washington, D. C.," which was adulterated and misbranded; and of an article labeled "Solution Citrate of Magnesia. * * * Brace's Pharmacy, George Latterner, Prop. 30th and M Streets, N. W., Washington, D. C.," which was adulterated.

Analysis of the samples of the articles by the Bureau of Chemistry of this department showed the following results:

Citrate of magnesia (sale of February 9, 1917).

Citric acid (grams per 100 cc)-----	7.46
Magnesium oxid (gram per 100 cc)-----	.80

Chloroform liniment (sale of December 19, 1916).

Alcohol (per cent by volume)-----	40
Camphor (grams per 1000 mils)-----	25.3
Chloroform (mils per 1,000 mils)-----	247
(minims per fluid ounce)-----	118

Citrate of magnesia (sale of May 31, 1917).

Citric acid (grams per 100 cc)-----	7.64
Magnesium oxid (grams per 100 cc)-----	1.15

Chloroform liniment (sale of July 31, 1917).

Alcohol (per cent by volume)-----	50.65
Camphor (grams per 1,000 mils)-----	20.4
Chloroform (mils per 1000 mils)-----	215.7
(minims per fluid ounce)-----	105

Adulteration of the citrate of magnesia in the sale on December 19, 1916, [February 9, 1917] was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by the tests laid down in the said United States Pharmacopœia official at the time of investigation of the article, in that it contained in 100 mils of the solution magnesium citrate corresponding to not less than 1.5 grams of magnesium oxid, and in Pharmacopœia provides that 100 mils of the solution shall contain magnesium citrate corresponding to not less than 1.5 grams of magnesium oxid, and in that said article contained in 100 mils of the solution 7.46 grams of citric acid, whereas said Pharmacopœia provides that the article should contain 33 grams of citric acid in 350 mils of the solution, equivalent to 9.43 grams of citric acid per 100 mils of the solution, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Adulteration of the chloroform liniment in the sale on December 19, 1916, was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia official at the time of investigation of the article, in that in 1,000 mils of the article there were 247 mils of chloroform, whereas said

Pharmacopœia provides that in 1,000 mls of the article there shall be 300 mls of chloroform, and that in 1,000 mls of the article there were 25.3 grams of camphor, whereas said Pharmacopœia provides that in 1,000 mls of the article there shall be 700 mls of soap liniment and that in 700 mls of soap liniment there shall be 31.5 grams of camphor, and that the article contained 40 per cent alcohol, whereas said Pharmacopœia provides that in 1,000 mls of the article there shall be 700 mls of soap liniment and that in 700 mls of soap liniment there shall be approximately 465 mls of absolute alcohol, corresponding to approximately 46.5 per cent of absolute alcohol by volume, and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement to wit, " * * * Alcohol, 49 per cent. Each Fluid Ounce Contains 144 Minims of Chloroform * * * ," borne on the label attached to the bottle containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 49 per cent of alcohol and 144 minims of chloroform to the fluid ounce, whereas, in truth and in fact, it did not, but contained a less amount, to wit, 40 per cent of alcohol and 118.6 minims of chloroform to the fluid ounce. Misbranding of the article was alleged for the further reason that it contained alcohol and chloroform, and the label failed to bear a statement of the quantity or proportion of alcohol and chloroform contained therein.

Adulteration of the citrate of magnesia in the sale on May 31, 1917, was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by the tests laid down in said Pharmacopœia official at the time of the investigation of the article, in that it contained in 100 mls of the solution magnesium citrate corresponding to 1.15 grams of magnesium oxid, whereas the said Pharmacopœia provides that 100 mls of the solution shall contain magnesium citrate corresponding to not less than 1.5 grams of magnesium oxid, and in that said article contained in 100 mls of the solution 7.64 grams of citric acid, whereas said Pharmacopœia provides that the article should contain 33 grams of citric acid in 350 mls of the solution, equivalent to 9.43 grams of citric acid per 100 mls of the solution, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Adulteration of the chloroform liniment in the sale on July 31, 1917, was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by the tests laid down in said Pharmacopœia official at the time of said investigation of the article, in that in 1,000 mls of the article there were 215.7 mls of chloroform, whereas said Pharmacopœia provides that in 1,000 mls of the article there shall be 300 mls of chloroform, and that in 1,000 mls of the article there were 20.4 grams of camphor, whereas said Pharmacopœia provides that in 1,000 mls of the article there shall be 700 mls of soap liniment and that in 700 mls of soap liniment there shall be 31.5 grams of camphor, and the article contained 50.65 per cent of alcohol, whereas said Pharmacopœia provides that in 1,000 mls of the article there shall be 700 mls of soap liniment, and that in 700 mls of soap liniment there shall be approximately 465 mls of absolute alcohol, corresponding to approximately 46.5 per cent of absolute alcohol by volume, and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "* * * Each Fluid Ounce Contains 144 Minims of Chloroform * * *," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 144 minims of chloroform to the fluid ounce, whereas, in truth and in fact, it did not contain 144 minims of chloroform to the fluid ounce, but contained a less amount, to wit, 105 minims of chloroform to the fluid ounce; and for the further reason that it contained chloroform, and the label failed to bear a statement of the quantity or proportion of chloroform contained therein.

On April 20, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

J. R. RIGGS, *Acting Secretary of Agriculture.*