

Nabona (alias Paul Anacker) on one count of the information, and ordered that judgment be arrested on the remaining five counts. On December 5, 1934, Yosemite Nabona was placed on probation for 2 years on condition that he pay the fine within that period.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24050. Adulteration and misbranding of nitroglycerin tablets and morphine sulphate tablets. U. S. v. Glens Falls Pharmacal Co., Inc. Plea of guilty. Fine, \$40. (F. & D. no. 32198. Sample nos. 34614-A, 34617-A.)**

This case was based on an interstate shipment of nitroglycerin tablets and morphine sulphate tablets that contained smaller amounts of the said drugs than declared on the labels.

On October 30, 1934, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Glens Falls Pharmacal Co., Inc., Glens Falls, N. Y., alleging shipment by said company on or about May 8, 1933, from the State of New York into the State of Vermont of quantities of nitroglycerin tablets and morphine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "Tablets H Nitro-Glycerine  $\frac{1}{100}$  gr. Manufactured by Glens Falls Pharmaceutical Co. Incorporated Glens Falls, N. Y."; "Morphine Sulphate  $\frac{1}{8}$  Grain Poison Glens Falls Pharmacal Co., Inc., Glens Falls, N. Y."

The articles were alleged to be adulterated in that their strength and purity fell below the professed standard or quality under which they were sold in that each of the nitroglycerin tablets was alleged to contain one one-hundredth of a grain of nitroglycerin, whereas each of said tablets contained less than one one-hundredth of a grain, namely, not more than 0.0072 grain (not more than one one-hundredth and fortieth of a grain) of nitroglycerin; and each of the morphine sulphate tablets was represented to contain one-eighth of a grain of morphine sulphate, whereas each of said tablets contained less than one eighth of a grain, namely, not more than 0.11 grain (not more than one ninth of a grain) of morphine sulphate.

Misbranding was alleged for the reason that the statements, "Tablets Nitro-Glycerine 1/100 gr." and "Morphine Sulphate 1/8 Grain", borne on the labels, were false and misleading since the tablets contained less of the said drugs than so represented.

On November 9, 1934, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$40.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24051. Misbranding of Mother Gray's Sweet Powders for Children. U. S. v. 143 Boxes of Mother Gray's Sweet Powders for Children. Default decree of condemnation and destruction. (F. & D. no. 32268. Sample no. 66161-A.)**

This case involved a drug preparation, the labels of which contained unwarranted curative and therapeutic claims.

On March 9, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 boxes of Mother Gray's Sweet Powders for Children at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about January 11, 1934, by Allen S. Olmsted Co., from LeRoy, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sugar, starch, licorice, sulphur, sodium bicarbonate (one tenth of a grain per powder), and a small proportion of a calcium compound.

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, appearing in the labeling, were false and fraudulent: (Carton) "Act on the Stomach, Liver \* \* \* In intestinal and stomach disturbances the powders are most beneficial, as they tend to cleanse the digestive system"; (envelop) "These powders act on the Stomach \* \* \* and Liver. They \* \* \* tend to regulate the bowels. Appetite and digestion are improved so that children frequently gain in flesh"; (leaflet) "Act on the Stomach, Liver \* \* \* If children are sick and ailing, these powders will afford relief \* \* \* Many Mothers give them to their children as a corrective medicine. Use according to directions when your child is cross and complaining. In intestinal and stomach disturbances the