N. F. * * * Each Fluidrachm Represents * * * Codeine Alkaloid 1/9 Grain", borne on the labels, were false and misleading.

On June 17, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of $400.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24649. Adulteration and misbranding of mineral oil. U. S. v. Irving Sperling. Plea of guilty. Fine, $50.** (F. & D. no. 33859. Sample no. 58019–A.)

The product in this case was represented to be heavy mineral oil of exceptionally high viscosity. Examination showed that it did not conform to the requirements of the United States Pharmacopoeia for heavy mineral oil, since its kinematic viscosity was below the minimum tolerance of that authority.

On May 24, 1935, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Irving Sperling, a member of a partnership trading as the American Drug Laboratories, Brooklyn, N. Y., alleging that on or about August 18, 1933, the defendant had sold to a purchaser at New York a quantity of mineral oil under a guaranty that it was not adulterated or misbranded within the meaning of the Federal Food and Drugs Act; that on October 19, 1934, the purchaser shipped a portion of the product in interstate commerce from the State of New York into the State of Massachusetts; and that the said mineral oil was in fact adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was sold as heavy mineral oil, namely, heavy liquid petrolatum, a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, since it was represented to be heavy mineral oil, namely, heavy liquid petrolatum of pharmacopoeial standard, and to have an exceptionally high viscosity; whereas it was not heavy liquid petrolatum of pharmacopoeial standard, it was not heavy mineral oil, and did not have exceptionally high viscosity.

Misbranding was alleged for the reason that the statements, "Mineral Oil U. S. P. * * * A Heavy Mineral Oil Having * * * exceptionally high viscosity", borne on the bottle label, were false and misleading, since the article did not conform to the standard laid down in the United States Pharmacopoeia, it was not heavy mineral oil, and did not have exceptionally high viscosity.

On June 18, 1935, the defendant entered a plea of guilty and the court imposed a fine of $50.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24650. Adulteration and misbranding of camphorated oil. U. S. v. Safe Owl Products, Inc. Plea of guilty. Fine, $75.** (F. & D. no. 33879. Sample nos. 51663–A, 66318–A.)

This case was based on interstate shipments of camphorated oil the labeling of which bore unwarranted curative and therapeutic claims. The product in one shipment contained less camphor than the minimum required by the United States Pharmacopoeia, and was not labeled to indicate its own standard of strength, quality, and purity.

On February 27, 1935, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Safe Owl Products, Inc., Brooklyn, N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 12, 1933, from the State of New York into the State of Pennsylvania, and on or about November 23, 1933, from the State of New York into the State of New Jersey, of quantities of camphorated oil that was misbranded, and a portion of which was also adulterated. One lot of the article was labeled in part: "Owl Brand * * * Camphorated Oil U. S. P." The remaining lot was labeled in part: "Owl Brand * * * Camphorated Oil Not U. S. P."

Analysis showed that the lot labeled "U. S. P." contained 19.2 percent of camphor, and that the lot labeled "Not U. S. P." contained 15.8 percent of

camphor, which was below the minimum tolerance of not less than 19 percent of camphor provided by the United States Pharmacopoeia for camphorated oil.

The lot labeled, "Camphorated Oil Not U. S. P.", was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, since it yielded less than 19 percent, namely, not more than 15.8 percent of camphor; whereas the United States Pharmacopoeia provides that the product should yield not less than 19 percent of camphor, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged with respect to both lots for the reason that certain statements regarding the therapeutic and curative effects of the article, appearing on the bottle label, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for rheumatism and swelling of breast and joints.

On April 3, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of $75.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24651. Adulteration and misbranding of chloroform liniment, soap liniment, Stoke's Expectorant, sweet spirit of niter, and milk of magnesia. U. S. v. Standard Drug Co., Inc. Plea of guilty. Fine, $60.** (F. & D. no. 33902. Sample nos. 6442–B, 6443–B, 51832–A, 52060–A, 52062–A, 52064–A.)

This case was based on interstate shipments of drug preparations sold under names recognized in the United States Pharmacopoeia or the National Formulary, which failed to conform to the standard established by those authorities. One of the products, sweet spirit of niter, contained ethyl nitrite materially in excess of the amount declared on the label.

On May 15, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Standard Drug Co., Inc., Newark, N. J., alleging shipment by said company in violation of the Food and Drugs Act on or about November 13, 1933, from the State of New Jersey into the State of New York of quantities of soap liniment, Stoke's Expectorant, and sweet spirit of niter; on or about November 16, 1933, from the State of New Jersey into the State of New York of a quantity of chloroform liniment; and on or about July 16 and July 26, 1934, from the State of New Jersey into the State of Pennsylvania of quantities of milk of magnesia, which products were adulterated and misbranded. The articles were labeled, variously: "Chloroform Liniment, USP [or "Soap Liniment", "Stoke's Expectorant", "Sweet Spirit of Nitre", or "Milk of Magnesia"] * * * Standard Drug Company Pharmaceutical Chemists Newark, New Jersey."

The articles were alleged to be adulterated in that they were sold under names recognized in the United States Pharmacopoeia or the National Formulary, and differed from the standard of strength, quality, and purity as determined by the test laid down in said authorities in the following respects: The chloroform liniment contained less than 31.5 grams of camphor, namely, not more than 24.0 grams of camphor per 1,000 cubic centimeters, whereas the pharmacopoeia provides that camphor liniment shall contain not less than 31.5 grams of camphor per 1,000 cubic centimeters. The soap liniment contained less than 45 grams, namely, not more than 33.3 grams of camphor per 1,000 cubic centimeters; whereas the pharmacopoeia provides that soap liniment shall contain not less than 45 grams of camphor per 1,000 cubic centimeters. Stoke's Expectorant contained less than 17.5 grams, namely, not more than 12.66 grams of ammonium carbonate per 1,000 cubic centimeters; whereas the National Formulary provides that Stoke's Expectorant shall contain not less than 17.5 grams of ammonium carbonate per 1,000 cubic centimeters. The sweet spirit of niter contained more than 4.5 percent, namely, not less than 5.53 percent of ethyl nitrite; whereas the pharmacopoeia provides that sweet spirit of niter shall contain not more than 4.5 percent of ethyl nitrite. The milk of magnesia contained less than 7 percent of magnesium hydroxide, samples taken from the two shipments containing not more than 6.41 percent and 6.38 percent of magnesium hydroxide, respectively; whereas the pharmacopoeia provides that milk of magnesia shall contain not less than 7 percent of magnesium hydroxide; and the standard of strength, quality, and purity of the articles was not declared on the containers. Adulteration was alleged for the further reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold in that they were