solution of citrate of magnesia which was adulterated and misbranded. The article was labeled in part: "Roma Brand * * * Roma Extract Co. Inc. Boston, Mass."

It 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 therein since 100 cubic centimeters of the article contained magnesium citrate corresponding to less than 1.6 grams, namely, 0.14 gram of magnesium oxide, and 10 cubic centimeters of the solution after precipitation and conversion of the citric acid into ash, required less than 26 cubic centimeters, namely, not more than 3.3 cubic centimeters, of half-normal hydrochloric acid to neutralize the alkalinity of the ash, and 100 cubic centimeters of the articles contained 5.0 grams in the case of one lot, and 5.2 grams in the case of the other, of magnesium sulphate; whereas the pharmacopoeia provides that solution of magnesium citrate shall contain in each 100 cubic centimeters an amount of magnesium citrate corresponding to not less than 1.6 grams of magnesium oxide, that 10 cubic centimeters of the solution after precipitation and conversion of the citric acid into ash, shall require not less than 26 cubic centimeters of half-normal hydrochloric acid to neutralize the alkalinity of the ash, and magnesium sulphate is not mentioned in the pharmacopoeia in the formula for the product, and the standard of strength, quality, and purity of the article was not declared on the container.

It was alleged to be misbranded in that the statements, "Solution of Citrate of Magnesia with Magnesia Sulphate," borne on the wrappers, "Solution Citrate Magnesia," blown in the bottles, and "Citrate of Magnesia Solution," borne on the bottle caps, were false and misleading. The article was alleged to be misbranded further in that it was a product composed in large part of magnesium sulphate prepared in imitation of and offered for sale under the name of another article, solution citrate magnesia and citrate of magnesia solution.

On October 13, 1937, pleas of nolo contendere were entered by the defendants, and they were sentenced to pay fines in the total amount of $20.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28303. Adulteration of tincture of nux vomica, camphorated tincture of opium, elixir terpin hydrate and codeine, elixir triple bromides, and Fowler's solution. U. S. v. Goodrich-Gamble Co., Inc. Plea of guilty. Fine, $25. (F. & D. No. 38598. Sample Nos. 63326–B to 63330–B, incl.)

These products were sold under names recognized in the United States Pharmacopoeia or the National Formulary but differed from the standard established by those authorities, and with the exception of the Fowler's solution, they differed from their own declared standard, since they were found to contain certain drugs either in greater or smaller amounts than those declared

On April 6, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Goodrich-Gamble Co., a corporation, St. Paul, Minn., alleging shipment by said company in violation of the Food and Drugs Act on or about May 4, 1936, from the State of Minnesota into the State of Wisconsin, of quantities of the above-described drugs, which were adulterated. They were labeled in part: "Goodrich-Gamble Company, St. Paul, Minn."

The articles were alleged to be adulterated in that they were sold under names recognized in the United States Pharmacopoeia or in the National Formulary and to differ from the standard of strength, quality, and purity as determined by the tests laid down in those authorities in the following respects: The tincture of nux vomica yielded not less than 0.303 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the pharmacopoeia provides that tincture of nux vomica shall yield not more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters; the camphorated tincture of opium contained not more than 3.42 grams of powdered opium per 1,000 cubic centimeters, whereas the pharmacopoeia provides that camphorated tincture of opium shall contain not less than 4 grams of opium per 1,000 cubic centimeters; the elixir terpin hydrate and codeine contained no codeine, whereas the National Formulary provides that the product shall contain codeine; the elixir triple bromides contained not more than 45.6 grams of ammonium bromide, not more than 44 grams of potassium bromide and not more than 51.9 grams of sodium bromide per 1,000 cubic centimeters; whereas the National Formulary provides that elixir of three bromides shall contain in 1,000 cubic centimeters not less than 80 grams each of ammonium bromide, potassium bromide, and sodium bromide; the Fowler's solution contained not more than

0.854 gram of arsenic trioxide per 100 cubic centimeters, whereas the pharmacopoeia provides that Fowler's solution, namely, solution of potassium arsenite shall contain in each 100 cubic centimeters not less than 0.975 gram of arsenic trioxide; and the standard of strength, quality, and purity of the articles was not declared on the containers thereof.

With the exception of the Fowler's solution, they were alleged to be adulterated further in that their strength and purity fell below the professed standard and quality under which they were sold, since the tincture of nux vomica was represented to conform to the pharmacopoeial standard and to contain in each 100 cubic centimeters 0.1 gram of strychnine, whereas it was not tincture of nux vomica of the pharmacopoeial standard and each 100 cubic centimeters contained more than 0.1 gram, namely, not less than 0.155 gram of strychnine. The camphorated tincture of opium was represented to conform to the pharmacopoeial standard and to contain in each fluid ounce 1.9 grains of opium, whereas it did not conform to the pharmacopoeial standard and each fluid ounce contained less than 1.9 grains, namely, not more than 1.56 grains of opium. The elixir terpin hydrate and codeine was represented to conform to the formulary standard and to contain in each fluid ounce 1 grain of codeine sulphate, whereas it did not conform to the formulary standard and each fluid ounce contained less than 1 grain, namely, not more than 0.85 grain of codeine sulphate. The elixir triple bromides was represented to contain in each fluid drachm 3 grams each of potassium bromide and ammonium bromide, whereas each fluid drachm contained less than so represented, namely, not more than 2.51 grains of potassium bromide and not more than 2.60 grains of ammonium bromide.

On April 6, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $25.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28304. Misbranding of Nod. U. S. v. 264 Boxes of Nod. Default decree of condemnation and destruction. (F. & D. No. 39286. Sample No. 12845-C.)

The labeling of this product contained false and fraudulent curative or therapeutic claims and created the impression that it was a safe remedy for the conditions for which it was recommended, whereas it was not safe but was a dangerous preparation.

On March 29, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 264 boxes of Nod at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about November 7, 1936, by the Reader Drug Co. from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted of tablets containing 1½ grains of phenobarbital and 2 grains of aminopyrine per tablet.

It was alleged to be misbranded in that the following statements in the labeling were false and misleading in that they created the impression that the article was a safe remedy for the conditions mentioned, whereas it was not but was a dangerous preparation: (Tin box) "The Efficient Nerve Sedative * * * Directions Adult Dose: For Restful Sleep One to two tablets as necessary with Warm Drink," (leaflet) "The Efficient Nerve Sedative Not habit forming—No Narcotics. For the person exhausted by constant loss of sleep. 'Nod' is a Tonic for both Mind and Body. Indications. Insomnia: 1 or 2 tablets as needed, followed by a warm drink will quiet the nervous system, superinducing a restful nights sleep. Nervousness: ¼ of a tablet taken 3 times a day after meals will be found a splendid nerve sedative. Alcoholics: 1 or 2 tablets will calm the nerves and induce a full nights sleep," (display carton) "No more sleepless nights * * * Soothes Tense Nerves * * * The efficient Nerve Sedative Not Habit Forming No Narcotics * * * Induces Sleep Quiets Nerves * * * Contains No Narcotics."

It was alleged to be misbranded further in that the above-quoted statements on the tin box, leaflet, and display carton regarding its curative or therapeutic effects were false and fraudulent. It was alleged to be misbranded further in that the combination of the letters "Nod" borne on the labeling constituted a device regarding its curative or therapeutic effects in that the said combination of letters meant to purchasers that the article was a harmless formula, sure, safe, and non-habit forming; that it would stop all forms of nervousness, restlessness, allowing sleep to come naturally, would soothe tense nerves, make possible a full night's natural sleep; that it was not narcotic and that it would