

capsules, each containing approximately $\frac{1}{8}$ grain (0.008 gram) of ephedrine sulfate and approximately $\frac{1}{4}$ grain (0.017 gram) of pseudoephedrine sulfate and inert materials. They were alleged to be misbranded in that the statements, (carton) "Ephedrine Sulphate * * * Capsules * * * $\frac{3}{8}$ Grain (0.025 gm.)" and (bottle) "Capsules Ephedrine Sulfate * * * $\frac{3}{8}$ Grain (0.025 gm.)," were false and misleading since they represented that the article consisted of capsules each containing $\frac{3}{8}$ grain (0.025 gram) of ephedrine sulfate and no other substances possessing physiologically active properties; whereas they consisted of capsules containing approximately $\frac{1}{8}$ grain (0.008 gram) of ephedrine sulfate, $\frac{1}{4}$ grain (0.017 gram) of pseudoephedrine sulfate (a physiologically active substance), and inert material. They were alleged to be misbranded further in that capsules containing ephedrine sulfate and pseudoephedrine sulfate prepared in imitation of capsules containing ephedrine sulfate had been offered for sale under the name of another article.

On October 22, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$400.

31116. Adulteration and misbranding of Bad-Ex Salts. U. S. v. Dr. Frederick M. Lawrence (American Laboratories). Plea of guilty. Fine, \$50. (F. & D. No. 42739. Sample Nos. 34931-D, 38817-D, 58508-D, 59646-D.)

The purity of this article fell below the professed standard under which it was sold since it was represented to contain tartaric acid; whereas it contained no tartaric acid but did contain tartar emetic, a toxic substance.

On November 21, 1939, the United States attorney for the Middle District of Pennsylvania filed in the district court an information against Dr. Frederick M. Lawrence, trading as the American Laboratories at Carlisle, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act, within the period from on or about November 5 to on or about December 10, 1938, from the State of Pennsylvania into the States of Maryland, Missouri, Ohio, and New York, of quantities of Bad-Ex Salts which was adulterated and misbranded.

The article was alleged to be adulterated in that its purity fell below the professed standard and quality under which it was sold, since it was represented to consist of sodium sulfate, sodium bicarbonate, and sodium chloride with the fruit acid of grapes, namely, tartaric acid; whereas it did not so consist since it contained no tartaric acid, but did contain tartar emetic.

Misbranding was alleged in that the statements, (wrapper) "The Alkaline Saline Containing Sodium Sulphate, Sodium Bicarbonate and Sodium Chloride (salts which also constitute the active agents of many of the celebrated mineral springs of Europe) and the Fruit Acid of Grapes. Bad-Ex Salts dissolved in water produces a sparkling effervescent alkaline solution which possesses marked Antacid and Laxative Properties," and (bottle) "Bad-Ex Salts Contains Sodium Sulphate, Sodium Bicarbonate and Sodium Chloride (salts which also constitute the active agents of many of the celebrated mineral springs of Europe) with the Fruit Acid of Grapes," were false and misleading in that they represented that the article consisted of sodium sulfate, sodium bicarbonate, sodium chloride, and the fruit acid of grapes, namely, tartaric acid, and that when dissolved in water it would produce a harmless, sparkling, effervescent, alkaline solution which possessed marked antacid and laxative properties; whereas it contained no tartaric acid, but did contain tartar emetic, and when dissolved in water would not produce a harmless, sparkling, effervescent alkaline solution with antacid and laxative properties, since it possessed toxic properties.

The article was also charged to be misbranded in violation of the Federal Food, Drug, and Cosmetic Act, reported in notice of judgment No. 152 published under that act.

On December 4, 1939, the defendant entered a plea of guilty and the court imposed a fine of \$50.

31117. Misbranding of G. D. Cleaning Powder. U. S. v. Kemiko Manufacturing Co. Plea of guilty. Fine, \$100. (F. & D. No. 42667. Sample Nos. 62578-C, 29746-D.)

The labeling of this veterinary product bore false and fraudulent representations regarding its curative and therapeutic properties.

On June 2, 1939, the United States attorney for the District of New Jersey filed in the district court an information against the Kemiko Manufacturing Co., a corporation, Irvington, N. J., alleging shipment in interstate commerce on or about February 9, 1937, and February 9, 1938, from the State of New Jersey into the State of New York (one lot subsequently transported by the consignee to the