period from on or about January 27 to on or about March 7, 1941, from the State of Illinois into the State of Washington of quantities of Floramucin which was misbranded, and of a quantity of Adiron which was adulterated and misbranded.

The Adiron was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess since it was represented to contain in each tablet, 1,200 U. S. P. XI units of vitamin A and 180 U. S. P. XI units of vitamin D, but did contain not more than 300 U. S. P. XI units of vitamin A and not more than 100 U. S. P. XI units of vitamin D. It was alleged to be misbranded in that the statement on the label, "Adiron * * * Tablets, each contain * * * 1200 U. S. P. XI Units Vitamin 'A' 180 U. S. P. XI Units Vitamin 'D', " was false and misleading.

The information alleged that the Adiron was also adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3338.

Analysis of a sample of Floramucin showed that it consisted essentially of the mucilaginous portion of psyllium seed, karaya gum, sugar, and dextrin.

Floramucin was alleged to be misbranded: (1) In that the statement (display card) "Detoxification aids in getting rid of the poisons," and those in an accompanying circular which represented and suggested that it would detoxify and aid in getting rid of poisons; that it would be efficacious in the treatment of biliousness, sore stomach, indigestion, intestinal stasis, excess gas, colitis, torpid liver, and stomach and intestinal troubles; that it would combat constipation and colitis without laxatives, implying that it was not a laxative; that it would keep the digestive tract vigorous and healthy and would restore it to vigor and health if it were impaired; that it would be efficacious to insure quick and effective relief from faulty elimination; would soothe and ease sore, inflamed, and irritated conditions of the intestinal lining and assist natural healing processes; would infiltrate into every wrinkle and fold of each pocket of the intestines and make movement of the entire mass of the feces more easy and aid by its bulk in setting up normal peristalsis; would detoxify by better elimination of stagnant and putrefactive matter and would induce complete evacuation without irritating laxatives; would aid in combating auto-intoxication and resulting self-poisoning and would help break the laxative habit; would enable the consumer to reduce the quantity of laxatives and cathartics used and finally eliminate the necessity for using it, were false and misleading since it would not be efficacious for such purposes. (2) In that the statements, "with dextrine for its well-known flora-changing properties in encouraging the growth of B. Acidophilus and similar friendly organisms in the colon," "Dosage varies from 2 to 5 teaspoonfuls daily," "An adjuvant Food—Not a Drug," "Without Laxatives," "A Mucin—Not a Gum The earlier attempts to aid nature in this direction were mere gums like Karaya, * * * Bulk—but nothing else," were false and misleading since they represented that in the dosage recommended, it would be efficacious in changing the flora in the intestines and encouraging the growth of *B. acidophilus* and similar friendly organisms; that it was not a drug nor a laxative; and that it did not contain a gum and was more than a bulk-producing laxative, but it would not be efficacious in changing the flora in the intestines or encouraging the growth of *B. acidophilus*, it did contain the mucilaginous part of psyllium seed and karaya gum, which are laxative drugs, and it was a bulk-producing laxative. (3) In that the statement of the active ingredients, "Hexose Mucinoid fraction of Plantago Ovata (East Indian psyllium) Dextrine, Karaya Gum and Raw Sugar," required by the law to appear on the label, was not prominently placed thereon in such terms as to render it likely to be understood by the ordinary individual under customary conditions of purchase and use, since the expression "Hexose Mucinoid fraction of Plantago Ovata (East Indian psyllium)" was not the common name of one of the ingredients, i. e., the mucilaginous part of psyllium seed; dextrin and raw sugar were not active ingredients as implied in said statement, and the statement of ingredients did not distinguish between its active and nonactive constituents.

On March 3, 1942, a plea of guilty was entered to all charges and the court imposed a fine of $250, which covered all counts of the information.

767. Adulteration and misbranding of thyroid powder. U. S. v. Martha E. Johnston (H. H. Johnston Laboratories) and Arthur V. Jones. Pleas of nolo contendere. Total net fines, $40; each defendant fined $100 of which $80 was suspended. (F. D. C. No. 6502. Sample No. 65865–E.)

On June 11, 1942, the United States attorney for the Southern District of California filed an information against Martha E. Johnston, trading as H. H. Johnston Laboratories at Hollywood, Calif., and Arthur V. Jones, manufacturing pharmacist and salesman for H. H. Johnston Laboratories, alleging shipment

on or about August 18, 1941, from the State of California into the State of Colorado of a quantity of thyroid powder which was adulterated and misbranded.

The article was alleged to be adulterated in that it purported to be and was represented as a drug the name of which, i. e., thyroid, is recognized in the United States Pharmacopoeia, an official compendium, but its strength differed from and its quality fell below the standard set forth therein since the pharmacopoeia provides that thyroid contain not less than 0.17 percent of iodine in thyroid combination; whereas it contained not more than 0.134 percent of iodine in thyroid combination, and its difference in strength and quality from such standard was not plainly stated on the label. It was alleged to be misbranded in that the statement on the bottle label, "Thyroid Powder U. S. P. XI," was false and misleading.

On June 26, 1942, the defendants entered pleas of nolo contendere, and the court imposed fines of $100 against each defendant but suspended payment of $80 of each of the fines, thus reducing the total amount of the fines paid to $40.

768. Adulteration of powdered borax. U. S. v. 1 Barrel and 2 Barrels of Powdered Borax. Default decree of condemnation and destruction. (F. D. C. Nos. 7495, 7496. Sample Nos. 59785–E, 87584–E.)

Samples taken from this product were found to contain 3.4, 3.8, and 3.9 parts, respectively, of arsenic trioxide in each 100,000 parts of borax; whereas the U. S. Pharmacopoeia provides that it should contain not more than 1 part of arsenic trioxide per 100,000 parts.

On May 20, 1942, the United States attorney for the District of Maryland filed libels against 3 barrels, each containing 300 pounds of powdered borax at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about February 21, 1942, by the American Potash & Chemical Corporation from Trona, Calif.; and charging that it was adulterated in that it purported to be a drug the name of which is recognized in the U. S. Pharmacopoeia but its purity fell below the standard set forth in that compendium and its difference in purity from such standard was not stated on its label.

On June 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

769. Adulteration and misbranding of chorionic gonadotropic hormone. U. S. v. 12 Vials of Chorionic Gonadotropic Hormone. Default decree of condemnation and destruction. (F. D. C. No. 7845. Sample No. 77049–E.)

On July 1, 1942, the United States attorney for the Eastern District of Pennsylvania filed a libel against the above-named product at Philadelphia, Pa., alleging that it had been shipped in interstate commerce on or about May 27, 1942, by the Pro-Medico Laboratories, Inc., from Brooklyn, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from that which it purported and was represented to possess, namely, (label) "Anterior pituitary-like sex hormone standardized to a potency of 500 International units per cc. * * * 5000 International units of Chorionic Gonadotropic Hormone per 10 cc." since its potency was less than 835 International Units per 10 cc.

It was alleged to be misbranded in that the statements, "10 cc. * * * Package 5000 International Units * * * Chorionic Gonadotropic Hormone," and "Contains Anterior pituitary-like sex hormone standardized to a potency of 500 International units per cc." were false and misleading since they represented and suggested that it had a potency of 500 International Units of chorionic gonadotropic hormone per cc.; whereas it had a potency of less than 500 International Units per cc.

On July 17, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

770. Adulteration and misbranding of Effervescing Solution of Citrate of Magnesia with Magnesia Sulphate. U. S. v. 342 Bottles of Effervescing Solution of Citrate of Magnesia with Magnesia Sulphate. Default decree of condemnation and destruction. (F. D. C. No. 6758. Sample No. 90417–E.)

This product was labeled to indicate that it consisted of a standard solution of citrate of magnesia to which magnesium sulfate (Epsom salt) had been added; but it actually contained only about one-fourth as much magnesium oxide and one-seventh as much citric acid as required by the U. S. Pharmacopoeial standard. Furthermore, it contained Epsom salt in such an amount (approximately 10 grains per recommended dose of 11 fluid ounces) that its purgative effect was due primarily to the added Epsom salt.