vitamin A, and 1½ times the minimum daily requirement of vitamin D for both adults and children," borne on the carton was false and misleading since each tablet would supply less than one-tenth the amount of vitamin A required daily by an infant, and less than one-twenty-fifth the amount of vitamin A required daily by a person 12 or more years of age, and would supply less than three-fourths the amount of vitamin D required daily by any person irrespective of age; and (3) in that the statement "Each tablet is equal in vitamin potency and therapeutic effect to about 2 teaspoonfuls of U. S. P. cod liver oil," borne on the carton was false and misleading since the statement represented that each tablet contained the vitamin potency equivalent in therapeutic effectiveness to about 2 teaspoonfuls of cod liver oil, which would be approximately 6,200 U. S. P. units of vitamin A and not less than 620 U. S. P. units of vitamin D, whereas each tablet contained not more than 140 U. S. P. units of vitamin A, and not more than 300 U. S. P. Units of vitamin D.

The Valtiva was alleged to be misbranded in that the statements "Latest scientific research tells us that at times lack of sufficient dietary intake of vitamins results in run down conditions in the system, such as certain nervous disorders, skin troubles, loss of appetite, loss of weight, indigestion, constipation, susceptibility to colds or infection and general weakness. * * * Valtiva is * * * rich in essential health-building vitamins," appearing in the labeling were misleading in that they represented and suggested and created the impression in the minds of the readers that nervous disorders, skin troubles, loss of appetite, loss of weight, indigestion, constipation, susceptibility to colds or infection, general weakness, and ill health, are commonly caused by the lack of the vitamins A, B_1, G, and D contained in such article, and that readers might reasonably expect to obtain benefit from the use of the article in the treatment of such conditions, whereas these conditions are rarely caused by lack of vitamins A, B_1, G and D, and readers might not reasonably expect to obtain benefit from the use of the article in the treatment of such conditions since it would not ordinarily be efficacious for such purposes.

On December 19, 1942, pleas of nolo contendere having been entered by the defendants, the court imposed a fine of $100 on the count charging misbranding of the thiamin chloride tablets, and suspended imposition of sentence on the counts charging misbranding of the remaining products, such suspension to be permanent after 1 year in the event of no further violations of the law by the defendants.

873. Adulteration and misbranding of citrate of magnesia with magnesium sulfate and misbranding of Pitcher's Castoria. U. S. v. Roma Extract Co., Inc., and Vincenzo Contrino. Plea of guilty. Fine, $50. (F. D. C. No. 7300. Sample Nos. 51685–E, 75662–E, 90417–E.)

On September 10, 1942, the United States attorney for the District of Massachusetts filed an information against the Roma Extract Co., Inc., Boston, Mass., and Vincenzo Contrino. It was alleged in the information that the defendants, within the period from on or about September 23, 1940, to January 11, 1941, sold and delivered to the Hanover Sales Co., Inc., of Boston, Mass., various consignments of Castoria; that at the time of the sale and delivery the defendants in each instance furnished to the Hanover Sales Co., Inc., an invoice containing a guaranty that the article was not adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act; that on or about April 28, 1941, the holder of the guaranty introduced and delivered for introduction into interstate commerce a quantity of the said Castoria from Boston, Mass., to Manchester, N. H.; that the guaranties delivered by the defendants were false since the product, when sold and delivered by the defendants and introduced and delivered for introduction into interstate commerce by the holder of the guaranty, was misbranded. The information further alleged that on or about September 11 and November 10, 1941, the defendants shipped from Boston, Mass., into the State of Rhode Island a quantity of a product known as "Citrate of Magnesia with Magnesia Sulphate," which was adulterated and misbranded, and a quantity of Castoria which was misbranded.

Analysis of a sample of the Castoria showed that it consisted essentially of small proportions of Rochelle salt, sodium bicarbonate, extracts of plant drugs, including senna and wormseed, and sugar and water, flavored with aromatics, including methyl salicylate.

The Castoria was alleged to be misbranded in that the statements appearing in the labeling which represented that it was a reliable remedy for worms and diarrhea due to constipation, and would promote sleep by overcoming these

disorders, were false and misleading since it was not effective for such purposes. The Castoria was alleged to be misbranded further in that its label failed to bear the common or usual name of each active ingredient, and in that its container was so made, formed, and filled as to be misleading since the carton was materially larger than necessary to contain the bottles.

The "Effervescing Solution of Citrate of Magnesia with Magnesia Sulphate" was alleged to be adulterated in that its strength differed from that which it purported and was represented to possess, since its labeling represented and suggested that it consisted of a solution of magnesium citrate to which magnesium sulfate had been added, whereas it did not so consist but was predominantly a solution of Epsom salts with a small proportion of magnesium citrate. It was alleged to be misbranded in that the statement "Effervescing Solution of Citrate of Magnesia with Magnesia Sulphate," borne on the label was false and misleading since the article was predominantly a solution of Epsom salts with a small proportion of magnesium citrate, and not a solution of magnesium citrate to which magnesium sulfate had been added.

On October 27, 1942, a plea of guilty having been entered, each defendant was fined $25.

874. Adulteration and misbranding of Gold Bond Liquid Hog Medicine. U. S. v. Abraham Bartlet Carlsen (Mid-West Distributors). Plea of guilty. Fine, $25. (F. D. C. No. 7674. Sample No. 73036–E.)

On October 20, 1942, the United States attorney for the Northern District of Iowa filed an information against Abraham Bartlet Carlsen, trading as Mid-West Distibutors, Sioux City, Iowa, alleging shipment on or about November 3, 1941, from the State of Iowa into the State of Nebraska of a quantity of the above-named product.

Analysis of a sample of the Gold Bond Liquid Hog Medicine showed the product to consist essentially of sodium sulfate, hydroxide, and carbonate; iron and copper sulfates, carbonates, creosote, and water, and small amounts of plant material containing .55 percent fluidextract of nux vomica, less than .03 percent potassium iodide, namely 0.001 percent potassium iodide, and less than 9 percent potassium arsenite, namely not more than 0.05 percent potassium arsenite.

It was alleged to be adulterated in that its strength differed from that which it purported or was represented to possess, 4 percent of fluid extract of nux vomica, 0.03 percent of potassium iodide, and 9 percent of potassium arsenite, and it did not contain the stated amount of these ingredients.

It was misbranded in that the quantitative statement of ingredients in the labeling was false and misleading as applied to an article that contained smaller amounts of the above-mentioned ingredients.

It was further misbranded in that the statements on the label which represented and suggested that the drug would be efficacious in the treatment of sick hogs and would keep hogs well, were false and misleading, as the drug would not be efficacious for these purposes.

On October 20, 1942, a plea of guilty having been entered, the court imposed a fine of $25.

875. Adulteration and misbranding of first aid bandage. U. S. v. 11½ Dozen Packages of Sterilastic First Aid Bandage. Consent decree of condemnation and destruction. (F. D. C. No. 7834. Sample No. 89775–E.)

This product was not sterile but was contaminated with living micro-organisms.

On June 30, 1942, the United States attorney for the Southern District of New York filed a libel against the above-described product at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 25, 1942, by Surgical Dressings, Inc., from Boston, Mass.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its purity and quality fell below that which it purported and was represented to possess since the name "Sterilastic" implied that it was sterile, whereas it was not sterile.

It was alleged to be misbranded in that the following statement on the label, "Sterilastic * * * The gauze supplied with the Sterilastic may be used in any emergency," was false and misleading since it represented and suggested that the article was sterile and might be used in emergency first-aid injuries, whereas it was not sterile but was contaminated with living micro-organisms.

On December 5, 1942, Surgical Dressings, Inc., claimant, having consented to the entry of a decree, judgment was entered ordering that the product be condemned and destroyed, and that the answer theretofore filed by the claimant be stricken from the record.