

2369. Adulteration of sodium chloride isotonic solution. U. S. v. 141 Vials * * * (and 1 other seizure action). (F. D. C. Nos. 23399, 23737. Sample Nos. 68469-H, 83357-H.)

LIBELS FILED: On or about August 8 and September 10, 1947, Southern District of Ohio and Western District of Missouri.

ALLEGED SHIPMENT: On or about March 14, June 6, and July 31, 1947, by the Pitman-Moore Co., from Indianapolis, Ind.

PRODUCT: 141 20-cc. vials and 30 250-cc. bottles of *sodium chloride isotonic solution* at Kansas City, Mo., and Columbus, Ohio, respectively.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Sterile Isotonic Sodium Chloride Solution for Parenteral Use," a drug the name of which is recognized in the United States Pharmacopoeia, and the quality and purity of the article fell below the official standard, since it was contaminated with undissolved material.

DISPOSITION: August 26 and November 7, 1947. Default decrees of destruction.

2370. Adulteration of sodium iodide and sodium salicylate with colchicine. U. S. v. 50 Ampoules * * *. (F. D. C. No. 23747. Sample No. 71426-H.)

LIBEL FILED: September 10, 1947, Southern District of California.

ALLEGED SHIPMENT: On or about July 25, 1947, by Bristol Laboratories, Inc., from Syracuse, N. Y.

PRODUCT: 15 20-cc. size ampoules of *sodium iodide and sodium salicylate with colchicine* at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Sodium Salicylate and Iodide with Colchicine Ampuls," a drug the name of which is recognized in the National Formulary, and its quality and purity fell below the official standard, since it was contaminated with undissolved material.

DISPOSITION: October 23, 1947. Default decree of condemnation and destruction.

2371. Adulteration of water for injection. U. S. v. 138 Vials * * *. (F. D. C. No. 23697. Sample No. 54439-H.)

LIBEL FILED: On or about September 18, 1947, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 1, 1947, by Bristol Laboratories, Inc., from Syracuse, N. Y.

PRODUCT: 138 50-cc. size vials of *water for injection* at Atlanta, Ga.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Water for Injection," a drug the name of which is recognized in the United States Pharmacopoeia, and its quality and purity fell below the official standard, since it was contaminated with undissolved material.

DISPOSITION: November 3, 1947. Default decree of condemnation and destruction.

2372. Adulteration of Gen Tablets and misbranding of Red Rooster Pills. U. S. v. 6 Packages, etc. (and 1 other seizure action). (F. D. C. Nos. 23546, 23547. Sample Nos. 69955-H, 69956-H, 70159-H, 70160-H.)

LIBELS FILED: August 5, 1947, Eastern District of Michigan.

ALLEGED SHIPMENT: From Chicago, Ill., by Victor Edison Perry, trading as the Vim Vitamin Co. The products were shipped on or about March 31 and June 10 and 17, 1947, and a number of circulars were shipped on or about May 15, 1947.

PRODUCT: 6 packages of *Gen Tablets* and 67 cartons and 35 boxes of *Red Rooster Pills* at Detroit, Mich., together with a number of circulars entitled "No, You Are Not Too Old For Romance."

LABEL, IN PART: "Gen * * * Tablets * * * Each tablet contains: 1 gr. Acetanilid, with Aloin, Ext. Cascara Sagrada, Podophyllin and Capsicum," or "Red Rooster Famous Red Pills * * * Each pill contains the following active ingredients: Strychnine Sulfate 1-50 gr., Yohimbine Hydrochloride 1-12 gr., Zinc Phosphidel 1-10 gr."

NATURE OF CHARGE: *Gen Tablets.* Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, i. e., "Each tablet contains: 1 gr. Acetanilid," since each tablet contained less than one grain of acetanilid.

Red Rooster Pills. Misbranding, Section 502 (a), certain statements on the label of the article, together with a design of a rooster, were false and mis-

leading, since such statements and design implied that the article was famous and would work wonders for man and wife, and that it never failed. The article was not famous and would not work wonders for man and wife, and there is no known disease condition in which use of the article would be infallible. Further misbranding, Section 502 (a), certain statements, together with the designs of a rooster, of a rooster chasing a hen, and of an elderly man kissing a young woman, which appeared in the above-mentioned circular accompanying a portion of the article, and certain statements in a circular wrapped around the boxes containing a portion of the article, were false and misleading, since they represented and suggested that the article never failed to give pep for man and for wife; that it was world famous; and that it would stimulate sexual desire, give new pep and vigor to users, and keep one young. The article was not world famous and would not be effective for the purposes represented.

DISPOSITION: November 19, 1947. Default decree of condemnation. A portion of the *Gen Tablets* and the *Red Rooster Pills* was ordered destroyed, and the remainder of the products was ordered delivered to the Food and Drug Administration to be used for technical and exhibit purposes.

2373. Adulteration and misbranding of Large Round Worm Rx and misbranding of Korum. U. S. v. 287 Bottles, etc. (F. D. C. No. 20559. Sample Nos. 66888-H, 66889-H.)

LIBEL FILED: August 1, 1946, District of Nebraska.

ALLEGED SHIPMENT: On or about June 26, 1946, from Kansas City, Mo., to Lincoln, Nebr. The products were shipped by the I. D. Russell Co., via a common carrier, and a number of pamphlets relating to the products were personally transported by the consignee.

PRODUCT: 409 bottles of *Korum* and 80 packages of *Large Round Worm Rx* at Lincoln, Nebr., together with 400 pamphlets entitled "Russell's Poultry Medicines and Biologics." The bottles were in 1-gallon, ½-gallon, 1-quart, and 1-pint sizes, and the packages were in 7-ounce and 14-ounce sizes. Analyses disclosed that the *Korum* consisted of 90 percent water, with small amounts of sodium chlorate, potassium dichromate, saltpeter, and epsom salt; and that the *Large Round Worm Rx* consisted of nicotine sulfate 3 percent, copper and iron sulfates, and plant drugs such as areca nuts, capsicum, kamala, aniseed, and nux vomica.

NATURE OF CHARGE: *Large Round Worm Rx*. Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, i. e., nicotine sulfate 6 percent, since the article contained not more than 3 percent of nicotine sulfate. Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading, since they represented and suggested that the article was effective as an aid in the control of large roundworms or any other species of worms which infest poultry. The article was not effective for such purposes.

Korum. Misbranding, Section 502 (a), certain statements on the label of the article and in the pamphlets were false and misleading, since they represented and suggested that the article was effective as a mild astringent for chicks, pullets, layers and breeders, turkeys, and poults, and that the article was effective in the prevention and treatment of disease conditions of poultry. The article was not effective for such purposes.

DISPOSITION: February 20, 1948. I. D. Russell Co., claimant, having withdrawn its claim and answer, and the libel being considered as confessed for default of pleading or answer, judgment of condemnation was entered. The court ordered that the product be destroyed and that the cost of the proceedings be taxed against the claimant.

2374. Action to enjoin and restrain the interstate shipment of prophylactics. U. S. v. Perfection Rubber Co., William B. Augustine, Ralph N. Turnbaugh, and M. E. Turnbaugh. Injunction granted. (Inj. No. 122.)

COMPLAINT FILED: October 19, 1945, Northern District of Ohio, against the Perfection Rubber Co., a corporation, Akron, Ohio, William B. Augustine, president, Ralph N. Turnbaugh, vice-president, and M. E. Turnbaugh, secretary and treasurer.

NATURE OF CHARGE: That the defendants since about November 1938, had been engaged and were still engaged in the business of manufacturing, purchasing, packing, distributing, and selling quantities of devices, and were causing the