

DISPOSITION: December 15, 1949. Wessel, Duval & Co., Inc., New York, N. Y., claimant having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for fumigation, cracking, brushing, and sifting, or otherwise treating, so as to eliminate and destroy the objectionable portions and thereby bring the product into compliance with the law, under the provision of the Federal Security Agency. The reconditioning operations were completed on or about March 9, 1950, and resulted in the destruction of 1,628 pounds of the product as unfit.

3049. Adulteration of angelica seed. U. S. v. 17 Bags * * *. (F. D. C. No. 28062. Sample No. 56519-K.)

LIBEL FILED: On or about October 24, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about July 1, 1946, from Belgium.

PRODUCT: 17 150-pound bags of *angelica seed* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and rodent excreta. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 29, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. A total of 233 pounds of the product was found unfit and was destroyed, and the remainder of the product under seizure, consisting of 2,315 pounds, was found fit and was released on or about April 7, 1950.

3050. Adulteration of quince seed. U. S. v. 2,000 Pounds * * *. (F. D. C. No. 28063. Sample No. 57123-K.)

LIBEL FILED: October 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about July 1, 1949, from Iran.

PRODUCT: 2,000 pounds of *quince seed* in 8 drums and 1 bag at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 8, 1949. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The segregation operations were completed on or about April 7, 1950. Of the total of 1,503 pounds of the product which had been seized, 219 pounds were found unfit and were destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3051. Adulteration and misbranding of nembutal suppositories. U. S. v. Abbott Laboratories. Plea of nolo contendere. Fine of \$1,000, plus costs. (F. D. C. No. 26699. Sample Nos. 296-K, 692-K, 15960-K, 32034-K, 34101-K, 34102-K, 37091-K.)

INFORMATION FILED: July 12, 1949, Northern District of Illinois, against the Abbott Laboratories, a corporation, North Chicago, Ill.

*See also No. 3041.

ALLEGED SHIPMENT: Between the approximate dates of October 8, 1946, and June 10, 1947, from the State of Illinois into the States of Georgia, Indiana, California, and Washington.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since each suppository of the article purported and was represented to contain one grain of pentobarbital sodium, whereas some of the suppositories contained less than one grain of pentobarbital sodium and some of the suppositories contained more than one grain of pentobarbital sodium.

Misbranding, Section 502 (a), the label statement "Each suppository contains: * * * Pentobarbital Sodium * * * 1 gr." was false and misleading.

DISPOSITION: October 11, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000, plus costs.

3052. Adulteration of physiological salt solution. U. S. v. 80 Vials * * *
(F. D. C. No. 27695. Sample No. 53864-K.)

LIBEL FILED: August 18, 1949, Southern District of Alabama.

ALLEGED SHIPMENT: On or about July 12, 1949, by the Hyland Laboratories, from Los Angeles, Calif.

PRODUCT: 80 50-cc. vials of *physiological salt solution*, at Mobile, Ala. The form in which the product was packaged was that normally employed for drugs intended for parenteral administration (by injection), and the United States Pharmacopoeia provides that injections must be substantially free of undissolved material.

LABEL, IN PART: "Physiological Salt Solution (Isotonic Solution Of Sodium Chloride U. S. P.)."

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

DISPOSITION: October 26, 1949. Default decree of condemnation and destruction.

3053. Adulteration of prophylactics. U. S. v. 6 Cartons * * *
(F. D. C. No. 28472. Sample Nos. 63849-K to 63852-K, incl., 63854-K.)

LIBEL FILED: On or about December 9, 1949, Northern District of Georgia.

ALLEGED SHIPMENT: On or about June 1 and November 16, 1949, by the Klingfast Rubber Co., from Akron, Ohio.

PRODUCT: 6 cartons, each containing 29 gross, of short-type *prophylactics* at Atlanta, Ga. Examination of samples showed that 10.2 percent were defective in that they contained holes.

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

DISPOSITION: February 7, 1950. Default decree of condemnation and destruction.