

DISPOSITION: Between October 23, 1945, and October 11, 1946. The consignees of 21 of the devices were Rose Regar, Edw. J. Schwalbach, Jacob Leszczynski, Ella Minnie Severin, Josephine Wysocki, Emma Taves, Elsie Hegel, Geraldine M. Peter, Agnes Skalecki, Hedwig Bakula, Adam Spaeth, Emma A. Wuerker, Herman R. Leudtke, Lena Lambrecht, Anna Jessen, Lydia Thieme, Elsie Wilke, Alfred C. Taddey, William Endwig, Edw. T. Rippey, and Sophie Walkiewicz.

When the United States marshal first attempted to make seizure of the 21 devices, the consignees refused to surrender them. Accordingly, proceedings were instituted to compel the consignees to surrender their devices, and as a result of such proceedings, all of the consignees except Hedwig Bakula and Emma A. Wuerker complied. Hedwig Bakula and Emma A. Wuerker were cited for contempt, following the issuance of orders to show cause why their devices should not be surrendered and their subsequent refusal to comply with the orders of the court to surrender the devices. Hearings were held in the matter, and at their conclusion, Hedwig Bakula and Emma A. Wuerker adjudged guilty of contempt. Each was sentenced to pay a fine of \$100 and to be committed to the custody of the United States marshal for a period of 30 days, with the provision, however, that they could purge themselves of such contempt by delivering their devices to the marshal within 24 hours. Hedwig Bakula and Emma A. Wuerker thereupon surrendered their devices.

Following the surrender of the 21 devices held by the above-named consignees, opportunity to appear as claimants was afforded to these individuals, as well as to the consignees of the 6 other devices who had not opposed seizure. However, no claims for any of the devices were made, and, accordingly, judgments of condemnation were entered. The court ordered that one of the devices be delivered to the Food and Drug Administration and that the other devices be destroyed.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3150. Adulteration and misbranding of castor oil. U. S. v. The National Specialty Co. and William Hoyt Elliott. Pleas of nolo contendere. Fine of \$101 against defendants. (F. D. C. No. 26688. Sample No. 39494-K.)

INFORMATION FILED: April 18, 1949, Middle District of Tennessee, against The National Specialty Co., a corporation, Nashville, Tenn., and William Hoyt Elliott, president of the corporation.

ALLEGED SHIPMENT: On or about July 9, 1948, from the State of Tennessee into the State of Alabama.

LABEL, IN PART: "Nasco Brand Castor Oil."

NATURE OF CHARGE: Adulteration, Section 501 (d) (2), a substance, spirits of turpentine, had been substituted for *castor oil*.

Misbranding, Section 502 (a), the label statement "Castor Oil" was false and misleading since the article did not consist of *castor oil* but did consist of spirits of turpentine.

DISPOSITION: May 15, 1950. Pleas of nolo contendere having been entered, the court imposed a total fine of \$101 against the defendants.

*See also No. 3159 (veterinary preparation).