

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the packer or distributor and an accurate statement of the quantity of the contents; and, Sections 502 (f) (1) and (2), the labeling of the repackaged drugs failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

Further misbranding, Section 502 (e) (2), the repackaged lozenges of *Sulfonamets with Topicaline* failed to bear a label containing the common or usual name of each active ingredient of the drug.

DISPOSITION: April 13, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$75.

4069. Misbranding of Fosfarsinol, Cordial Matisura, and Sanqrinol. U. S. v. 70 Cartoned Bottles, etc. (F. D. C. No. 34645. Sample Nos. 50842-L to 50844-L, incl.)

LABEL FILED: February 3, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about November 26 and December 3, 1952, by the American Tropical Remedy Co., from Santurce, P. R.

PRODUCTS: 70 cartoned bottles of *Fosfarsinol*, 70 cartoned bottles of *Cordial Matisura*, and 34 cartoned bottles of *Sanqrinol* at New York, N. Y.

LABEL, IN PART: (Carton) "Fosfarsinol * * * Contains Strychnine Glycerophosphate and Vitamin B₁ * * * Each adult dose, one tablespoonful (approximately 15 cc.) contains: Alcohol 13.3% Strychnine Glycerophosphate 0.001 Gm. Thiamine Hydrochloride (Vitamin B₁) 0.005 Gm. Arrhenal 0.010 Gm. Sodium Glycerophosphate 0.300 Gm. Calcium Glycerophosphate 0.130 Gm. Aromatic Vehicle, sufficient quantity to make volume. Fosfarsinol is prescribed by physicians in those conditions in which it is indicated by the therapeutic properties of the medicinal ingredients it contains"; "Cordial Matisura * * * (Formerly Matricura) Alcohol 15.7% * * * Each dose of the Matisura Cordial, one tablespoonful (approximately 15 c. c.) contains: Viburnum Prunifolium 0.50 Gm. Mitchella Repens 0.50 Gm. Aletris Farinosa 0.25 Gm. Alcohol 2.35 c. c. Vehicle, sufficient quantity to make 15 c. c. Cordial Matisura Exclusive Tonic For The Woman"; and "Sanqrinol * * * (Formerly Sangrinol) Alcohol 13.3% * * * Each adult dose, one tablespoonful (approximately 15 c. c.) contains: Iron and Ammonium Citrate 0.500 Gm. Sodium Glycerophosphate 0.500 Gm. Arrhenal 0.010 Gm. Strychnine Glycerophosphate 0.001 Gm. Alcohol 2 c. c. Vehicle, sufficient quantity to make 15 c. c. Sanqrinol is an hematinic prescribed by physicians in those conditions indicated by the therapeutical properties of the medicinal ingredients it contains * * * Warning: Contains Strychnine Do not exceed stated dose."

NATURE OF CHARGE: *Fosfarsinol* and *Sanqrinol*. Misbranding, Section 502 (e) (2), the articles were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each active ingredient since "Arrhenal" is not the common or usual name of the active ingredient, methanearsonic acid, and the labels of the articles failed also to disclose that such ingredient was a derivative of arsenic; and, Section 502 (f) (2), the labelings of the articles failed to bear such adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and duration of administration, in such manner

and form, as are necessary for the protection of users since the use of the articles by elderly people, because of the content of strychnine, may be dangerous and their continued or prolonged use, because of the content of an arsenic preparation, may result in serious injury.

Fosfarinol. Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since its labeling did not reveal the diseases, conditions, or purposes for which the article was to be used.

Cordial Matisura. Misbranding, Section 502 (a), the label statement (in English and Spanish) "Exclusive Tonic For The Woman" was false and misleading since the article was not effective as a tonic for women.

DISPOSITION: April 22, 1953. Default decree of condemnation and destruction.

4070. Misbranding of various drugs. U. S. v. Ples Griffin. Plea of guilty. Fine, \$850. (F. D. C. No. 33761. Sample Nos. 30994-L, 31283-L, 32592-L, 32593-L, 33941-L, 33966-L, 34049-L, 34050-L, 34431-L to 34434-L, incl., 34455-L to 34458-L, incl., 34618-L.)

INFORMATION FILED: March 7, 1953, Western District of Kentucky, against Ples Griffin, La Center, Ky.

ALLEGED SHIPMENT: Between the approximate dates of November 27, 1951, and March 9, 1952, from the State of Kentucky into the States of Illinois, Missouri, and Tennessee, of quantities of drugs designated "B," "K," "P," and "Douch," and two unlabeled articles of drug.

PRODUCT: The articles designated "B," "K," and "P" were composed essentially of fragments of walnut bark suspended in water. The article designated "B" contained also small inconsequential proportions of inorganic matter, such as epsom salt and soda. The article designated "P" contained also from about 8 to 12 percent, epsom salt. The article marked "Douch" consisted essentially of a solution in water of approximately 0.7 percent of copper sulfate. One of the unlabeled articles consisted essentially of water in which was dissolved 0.3 percent of material extracted from plants, and the other unlabeled article consisted of water, plant extractive material, and a trace of berberine.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use since the labeling failed to reveal the conditions for which the articles were to be used.

Further misbranding, Section 502 (f) (1), the labeling of the various articles failed to bear adequate directions for use in the treatment of the following diseases, symptoms, and conditions and for the following purposes, for which the articles were prescribed, recommended, and suggested orally by the defendant: ("B," "K," and "P" in combination with one another.) Thyroid trouble, overweight, high blood pressure, nervousness, tenseness, stiff, swollen, and painful joints in hips, legs, arms, and hands, arthritis, to get germs out of the blood, gallbladder attack, pains in the right side and right shoulder, vomiting, change of life, dizziness, low blood pressure, obesity, bump in the right abdominal region, diabetes, to build up the pancreas so that it would work as it is supposed to, severe menstrual flooding, paleness, irritability, abdominal pain, to prevent cancer, appendicitis, lump in the breast, impurities of the blood, skin eruptions, anemia, chronic pain in the back and stomach, kidney trouble, sciatic rheumatism, and gas attacks; ("B" and "K" in combination with each other) impurities of the blood, skin eruptions, and anemia; ("B," "K," "P," and "Douch" in combination with one another) cancer; ("B," "K," and unlabeled drug containing a trace of berberine in combination with one another) severe