

5877. Adulteration of elixir of iron, quinine, and strychnine, and adulteration and misbranding of chloroform liniment. U. S. * * * v. James O'Donnell. Plea of guilty. Fine, \$60. (F. & D. No. 8463. I. S. Nos. 2668-m, 4607-m, 4608-m.)

On November 10, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against James O'Donnell, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on February 9, 1917, a quantity of an article labeled in part, "Elixir of Iron, Quinine and Strychnine," which was adulterated, and on February 8, 1917 (two sales) quantities of an article labeled in part, "Chloroform Liniment," which was adulterated and misbranded.

Analysis of a sample of the elixir of iron, quinine, and strychnine by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	14.0
Solids (nonvolatile at 100° C) grams per 100 cc.....	27.1
Total alkaloid calculated to quinine hydrochlorid (2H ₂ O) (grams per 100 cc).....	0.510
Sucrose: Present.	
Glycerol: Absent.	

Adulteration of the elixir of iron, quinine, and strychnine was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Formulary official at the time of investigation of the article, in that it contained in 1,000 mils 5.1 grams of quinine hydrochlorid, whereas said National Formulary requires that it shall contain in 1,000 mils 8.750 grams of quinine hydrochlorid, and in that said article contained no glycerin, whereas said Formulary provides that it shall contain in 1,000 mils 300 mils of glycerin, and in that it contained sugar, which is not mentioned as an ingredient of elixir of iron, quinine, and strychnine in said Formulary; and the standard of strength quality, and purity of the article was not declared on the container thereof.

Analyses of samples of the chloroform liniment by the said Bureau of Chemistry showed the following results:

	Sample 1.	Sample 2.
Camphor (grams per 100 cc.).....	2.63	2.85
Alcohol (per cent by volume).....	38.04
Chloroform (cc. per 100 cc.).....	24.3	22.1
Minims per fluid ounce.....	116.6	106.1

Adulteration of the chloroform liniment in one of the sales was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia official at the time of investigation of the article, in that in 1,000 mils of the article there were 221 mils of chloroform, whereas said Pharmacopœia provides that in 1,000 mils of the article there shall be 300 mils of chloroform; and in that in 1,000 mils of the article there were 28.5 grams of camphor, whereas said Pharmacopœia provides that in 1,000 mils of the article there shall be 700 mils of soap liniment and that in 700 mils of soap liniment there shall be 31.5 grams of camphor; and

the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of this article was alleged for the reason that the statement borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, to wit, "Chloroform 144 minims in 1 fluid ounce," was false and misleading in that it represented that each fluid ounce of the article contained 144 minims of chloroform, whereas, in truth and in fact, it did not, but contained a less amount, to wit, 106.1 minims of chloroform to each fluid ounce; and for the further reason that it contained chloroform, and the label failed to bear a statement of the quantity or proportion of chloroform contained therein.

Adulteration of the chloroform liniment in the other sale was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia official at the time of the investigation of the article, in that in 1,000 mils of the article there were 243 mils of chloroform, whereas said Pharmacopœia provides that in 1,000 mils of the article there shall be 300 mils of chloroform; and in that in 1,000 mils of the article there were 26.3 grams of camphor, whereas said Pharmacopœia provides that in 1,000 mils of the article there shall be 700 mils of soap liniment and that in 700 mils of soap liniment there shall be 31.5 grams of camphor; and in that the article contained 38.04 per cent by volume of alcohol, whereas said Pharmacopœia provides that in 1,000 mils of the article there shall be 700 mils of soap liniment and that in 700 mils of soap liniment there shall be 66.5 mils of absolute alcohol, corresponding to approximately 48 per cent of absolute alcohol by volume; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of this article was alleged for the reason that the statement borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, to wit, "Alcohol 49 Per Centum, Chloroform 144 Minims in 1 Fluid Ounce," was false and misleading in that it represented that the article contained 49 per cent of alcohol and that each fluid ounce of the article contained 144 minims of chloroform, whereas, in truth and in fact, it did not contain 49 per cent of alcohol, and each fluid ounce did not contain 144 minims of chloroform, but contained a less amount, to wit, 38.04 per cent of alcohol and 116.6 minims of chloroform to each fluid ounce; and for the further reason that it contained alcohol and chloroform, and the label failed to bear a statement of the quantity or proportion of alcohol and chloroform contained therein.

On November 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$60.

CARL VROOMAN, *Acting Secretary of Agriculture.*