

**6423. Adulteration and misbranding of tincture of iodine and spirits of camphor. U. S. \* \* \* v. Wm. H. Hartshorn (E. Hartshorn & Sons). Plea of nolo contendere. Fine, \$50. (F. & D. No. 8597. I. S. Nos. 1386-p, 1387-p.)**

On January 29, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wm. H. Hartshorn, trading as E. Hartshorn & Sons, Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 9, 1918, from the State of Massachusetts into the State of New Hampshire, of quantities of articles labeled in part, "Tincture Iodine U. S. P. Contains alcohol 92 per cent. E. Hartshorn & Sons, Boston, Mass.," and "Spirits Camphor contains alcohol 66 per cent, \* \* \* E. Hartshorn & Sons, Boston," which were adulterated and misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed the following results:

#### THE TINCTURE OF IODINE.

Iodin (grams per 100 mils).....	5.66
Potassium iodid (grams per 100 mils).....	3.62
Alcohol (per cent by volume).....	89.25

Product contains less iodine and potassium iodid than is present in Pharmacopœia product, and alcohol is not present in proportion declared.

#### THE SPIRITS OF CAMPHOR.

Test for added water: Positive.

Camphor (grains per fluid ounce).....	53.3
Alcohol (per cent by volume).....	55.18

Less alcohol is present than declared on the label; product also contains added water.

Adulteration of the tincture of iodine was alleged in the information 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 prescribed by that authority in that in 100 mils of the article there were 5.66 grams of iodine and 3.62 grams of potassium iodid, whereas said Pharmacopœia provides that in 100 mils of the article there shall be 7 grams of iodine and 5 grams of potassium iodid, and the standard of strength, quality, and purity of the article was not declared on the container thereof; and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was sold as "Tincture Iodine U. S. P. Contains Alcohol 92 per cent," whereas, in truth and in fact, it was not tincture iodine U. S. P. which contained 92 per cent alcohol, but was a product which did not conform to the test laid down in said Pharmacopœia for tincture iodine, and which contained 89.25 per cent of alcohol.

Misbranding of the article was alleged for the reason that the statement, to wit, "Tincture Iodine, U. S. P. Contains Alcohol 92 per cent," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was tincture iodine which conformed with the tests laid down in the United States Pharmacopœia and which contained 92 per cent of alcohol, whereas, in truth and in fact, the article was not

tincture iodine which conformed to the tests laid down in said Pharmacopœia, and said article did not contain 92 per cent of alcohol, but was a product which did not conform to the tests laid down in the said Pharmacopœia, and said article contained less than 92 per cent of alcohol, to wit, 89.25 per cent of alcohol; and for the further reason that it contained alcohol, and the label failed to bear a statement of the quantity and proportion of alcohol contained therein.

Adulteration of the spirits of camphor 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 prescribed by that authority in that the article contained 55.18 per cent of alcohol by volume, whereas said Pharmacopœia provides that the article shall contain approximately 85 per cent alcohol by volume, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Spirits Camphor Contains Alcohol 66 per cent," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 66 per cent of alcohol, whereas, in truth and in fact, it did not contain 66 per cent of alcohol, but contained a less amount, to wit, 55.18 per cent; and for the further reason that it contained alcohol, and the label failed to bear a statement of the quantity and proportion of alcohol contained therein.

February 10, 1919, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*