

ated and misbranded. The article was labeled in part: "Quinine Sulphate 5 Grains" (or "2 Grains" or "3 Grains") "United Drug Co. Boston."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that the tablets labeled "5 Grains" contained 3 grains of quinine sulphate each, the tablets labeled "2 Grains" contained 1.56 grains of quinine sulphate each, and the tablets labeled "3 Grains" contained 2.68 grains of quinine sulphate each.

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that the tablets were represented to contain 5 grains, 2 grains, or 3 grains, as the case might be, of quinine sulphate, whereas the said tablets contained less quinine sulphate than represented.

Misbranding was alleged for the reason that the statements, to wit, "Tablets * * * Quinine Sulphate 5 Grains," "Tablet * * * Quinine Sulphate 2 Grains," and "Tablets * * * Quinine Sulphate 3 Grains," borne on the respective labels, were false and misleading, in that the said statements represented that the tablets contained 5 grains, 2 grains, or 3 grains, as the case might be, of quinine sulphate, whereas the said tablets contained less quinine sulphate than so represented.

On May 3, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

4343. Misbranding of quinine sulphate pills, nitroglycerin tablets, and tincture nux vomica. U. S. v. The E. L. Patch Co. Plea of nolo contendere. Fine, \$200. (F. & D. No. 19637. I. S. Nos. 2168-v, 2440-v, 12849-v, 13003-v, 13005-v, 13359-v, 13449-v, 14324-v, 15875-v, 16047-v.)

On July 13, 1925, 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 the E. L. Patch Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the food and drugs act, in various consignments between the dates of March 31 and December 3, 1924, from the State of Massachusetts into the States of New York, New Jersey, and Maine, respectively, of quantities of quinine sulphate pills, nitroglycerin tablets and tincture nux vomica which were misbranded. The articles were labeled, respectively: "Pills Sugar Coated Quinine Sulphate 2 grains * * * The E. L. Patch Co. Manufacturing Pharmacists Boston, Mass.," "Tablets Nitroglycerin 1-100 grain," "Tincture of Nux Vomica 72% Alcohol Strength of U. S. P. IX 100 mils contain 0.25 Gm. of total alkaloids of Nux Vomica."

Misbranding of the quinine sulphate pills and the nitroglycerin tablets was alleged in the information for the reason that the statements, to wit, "Pills * * * Quinine Sulphate 2 grains," and "Tablets Nitroglycerin 1-100 grain," borne on the labels of the respective products, were false and misleading, in that the said statements represented that the quinine sulphate pills each contained 2 grains of quinine sulphate, and that the nitroglycerin tablets each contained 1-100 grain of nitroglycerin, whereas the said quinine sulphate pills contained less than 2 grains of quinine sulphate each, the 5 lots containing approximately 1.643, 1.665, 1.677, 1.665, and 1.664 grains of quinine sulphate, respectively, to each pill, and the nitroglycerin tablets containing 0.00722, 0.00724, 0.00614, 0.00713 grain of nitroglycerin, respectively, to each tablet.

Misbranding of the tincture nux vomica was alleged for the reason that the statement, to wit, "Tincture of Nux Vomica * * * Strength of U. S. P. X 100 mils contain 0.25 Gm. of total alkaloids of Nux Vomica," borne on the label, was false and misleading, in that the said statement represented that the article was nux vomica which conformed to the standard prescribed by the United States Pharmacopoeia, Volume IX, and that 100 mils of the article contained 0.25 gram of total alkaloids of nux vomica, whereas it was not nux vomica of the standard prescribed by the said pharmacopoeia, and 100 mils of the article did not contain 0.25 gram of total alkaloids of nux vomica but did contain a less amount, to wit, 0.154 gram of the alkaloids of nux vomica per 100 mils.

On December 28, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*