

leading. Misbranding was alleged for the further reason that the statements on the label, "Can be used in relieving cramps \* \* \* is an aid in breaking up colds," were false and fraudulent. It was further alleged in the libel that the article was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia, in that it did not contain in each 1,000 milliliters the alcohol-soluble constituents of 1,000 grams of ginger required by the pharmacopoeia, but did consist essentially of an oil such as castor oil dissolved in a mixture of alcohol, acetone and water, with little, if any material derived from ginger. This charge follows substantially the wording found in the definition of adulteration in paragraph 1, under drugs, of section 7 of the food and drugs act. The word "adulteration," however, was not used in the libel.

On September 21, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19886. Adulteration and misbranding of Cadodyne tablets. U. S. v. Girard Pharmacal Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 27539. I. S. No. 30926.)**

This action was based on the shipment of a quantity of Cadodyne tablets, samples of which were found to contain less acetanilid than declared on the label.

On July 6, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Girard Pharmacal Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, on or about February 19, 1931, from the State of Pennsylvania into the State of New Jersey, of a quantity of Cadodyne tablets that were adulterated and misbranded. The article was labeled in part: "Cadodyne For Pain Each tablet contains acetanilide 2 grs. \* \* \* Prepared by Girard Pharmacal Co. \* \* \* Philadelphia, Pa."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since each tablet was represented to contain 2 grains of acetanilid, whereas each tablet contained less than so represented, to wit, not more than 1.592 grains of acetanilid.

Misbranding was alleged for the reason that the statement "Each tablet contains acetanilide, 2 grs." borne on the label, was false and misleading.

On September 19, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19887. Misbranding of Dr. M. C. Kreitzer's salve. U. S. v. Aschenbach & Miller (Inc.). Plea of guilty. Fine, \$50. (F. & D. No. 28077. I. S. Nos. 37860, 37861.)**

Examination of the drug product on which this action was based disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in representations appearing on the box and carton and in the circular.

On June 22, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Aschenbach & Miller (Inc.), a corporation, Philadelphia, Pa., alleging shipment by said company from the State of Pennsylvania into the State of Delaware, in violation of the food and drugs act as amended, in part on or about July 15 and in part on or about September 16, 1931, of quantities of Dr. M. C. Kreitzer's salve that was misbranded.

Analysis of a sample of the article by this department showed that it consisted essentially of a lead soap, camphor, rosin, and a fatty base.

It was alleged in the information that the article was misbranded in that certain statements, designs, and devices, regarding the curative and therapeutic effects of the article, appearing on the labels of the boxes and cartons and in a circular shipped with the article, falsely and fraudulently represented that: