20938. Adulteration and misbranding of powdered extract of belladonna leaves. U. S. v. Burrough Bros. Manufacturing Co. Plea of guilty. Fine, $50. (F. & D. no. 29400. I. S. no. 10617–A.)

This case was based on an interstate shipment of powdered extract of belladonna leaves which were labeled as conforming with the United States Pharmacopoeia, and which, upon analysis, was found to yield a smaller proportion of the alkaloids of belladonna leaves than the pharmacopeial product.

On March 27, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Burrough Bros. Manufacturing Co., a corporation trading at Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 4 and March 22, 1932, from the State of Maryland into the State of New York, of a quantity of powdered extract of belladonna leaves that was adulterated and misbranded. The article was labeled in part: "Burrough * * * Powdered Extract Belladonna Leaves U.S.P.X (Atropa Belladonna) * * * Containing not less than 1.18% nor more than 1.32% of Alkaloids of Belladonna Leaves."

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in the pharmacopoeia official at the time of investigation of the article, since it yielded not more than 1.07 percent of the alkaloids of belladonna leaves, whereas the pharmacopoeia provided that extract of belladonna leaves should yield not less than 1.18 percent of the alkaloids of belladonna leaves, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it was represented to be powdered extract of belladonna leaves which conformed to the pharmacopoeia, tenth revision, and which contained not less than 1.18 percent of the alkaloids of belladonna leaves, whereas it was not as represented, since it contained not more than 1.07 percent of the alkaloids of belladonna leaves.

Misbranding was alleged for the reason that the statements, "Powdered Extract Belladonna Leaves U.S.P.X * * * Containing not less than 1.18% nor more than 1.32% of Alkaloids of Belladonna Leaves", were false and misleading.

On March 28, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20939. Adulteration and misbranding of fluidextract of burdock. U. S. v. 1 Gallon of Fluidextract Burdock N.F. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28995. Sample no. 7751–A.)

This case involved a product represented to be fluidextract of burdock conforming to the requirements of the National Formulary. Analysis showed that it consisted of an entirely different product, which contained a large proportion of a mydriatic drug.

On October 10, 1932, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 gallon of fluidextract of burdock at Atlanta, Ga., alleging that the article had been shipped in interstate commerce, on or about June 12, 1932, by the Standard Pharmaceutical Corporation, from Baltimore, Md., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fluidextract Burdock N.F. Alcohol * * * Each mil. represents one gramme or each fluid ounce 456 grs. Burdock Root * * * Standard Pharmaceutical Corp., Baltimore, Md."

It was alleged in the libel that the article was adulterated in that it was sold under the name, "Fluidextract Burdock N. F." (synonymous with a name recognized in the National Formulary, "fluidextract of lappa"), and differed from the official standard of strength, quality, and purity. Adulteration was alleged for the further reason that the strength of the article fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statements on the label, "Fluidextract Burdock N. F. * * * each mil. represents one gramme or each fluid ounce 456 grs. Burdock Root", were false and misleading.