

**24065. Adulteration and misbranding of spirit of camphor, liquefied carbolic acid, and cascara aromatic. U. S. v. 69 Bottles of Spirit Camphor, et al. Default decree of condemnation and destruction.** (F. & D. nos. 33073 to 33077, incl. Sample nos. 66468-A to 66472-A, incl.)

This case involved shipments of 2 lots of spirit of camphor, 2 lots of liquefied carbolic acid, and 1 lot of cascara aromatic, all of which were labeled "U. S. P." One of the shipments of spirit of camphor was found to have a specific gravity in excess of the maximum provided in the United States Pharmacopoeia. Both lots of liquefied carbolic acid were found to yield, upon evaporation, excessive residue. The cascara aromatic contained less alcohol than provided in the pharmacopoeia. Both lots of the spirit of camphor and liquefied carbolic acid were short volume. The labeling of all products contained unwarranted curative and therapeutic claims.

On July 23, 1934, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 bottles of spirit of camphor, 112 bottles of liquefied carbolic acid, and 126 bottles of cascara aromatic at Shreveport, La., alleging that the articles had been shipped in interstate commerce in part on or about May 13, 1933, and in part on or about February 16, 1934, by the El-Dee Manufacturing Co., from Alton, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Spirit Camphor U. S. P."; "Carbolic Acid Liquefied U. S. P."; "Standardized Cascara Aromatic U. S. P. Alcohol 17%." The smaller sizes of spirit of camphor and liquefied carbolic acid were labeled " $\frac{1}{2}$  Oz." or " $\frac{1}{2}$  Fld. Oz.", the larger sizes being labeled "1 Fld. Oz."

Examination of a sample of the spirit of camphor showed the specific gravity of one lot to be 0.828 at 25° C; the pharmacopoeia specifies that the specific gravity of spirit of camphor is from 0.824 to 0.826 at 25°. Samples taken from each of the shipments of the liquefied carbolic acid yielded, upon evaporation, a residue of 0.20 and 0.08 percent, respectively; the pharmacopoeia specifies that liquefied carbolic acid yields, upon evaporation, not over 0.05 percent of residue. The cascara aromatic contained 11 percent of alcohol; the pharmacopoeia provides that aromatic cascara sagrada fluid extract contain 17 to 19 percent of alcohol.

The libel alleged that the articles were adulterated in that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein, and their own standard was not stated on the labels.

Misbranding was alleged for the reason that the statements on the bottle label, " $\frac{1}{2}$  Oz.", and on the carton label, " $\frac{1}{2}$  Fld. Oz. Persons \* \* \* should demand their products in sanitary sealed packages free from \* \* \* short weight and measure", were false and misleading since the packages did not contain either one half ounce or one half fluid ounce. This misbranding charge was only applicable to portions of the spirit of camphor and carbolic acid. The remaining lots of the spirit of camphor and carbolic acid were labeled "1 Fld. Oz." and were also found to be short volume. Misbranding was alleged with respect to all products for the further reason that the labeling bore statements regarding their curative and therapeutic effects, which were false and fraudulent. The curative and therapeutic claims on the labels which this Department deemed unwarranted were as follows: (Spirit of camphor, small size) "Externally the application of Spirit of Camphor has been used to relieve \* \* \* lumbago, bronchitis, catarrh, sore throat, rheumatic affections, \* \* \* and like injuries. \* \* \* Internally it is much used in colic and summer diarrhoea especially in children. It is also used internally to relieve nervousness and hysterical conditions"; (spirit of camphor, large size) "\* \* \* is an excellent application for the relief of \* \* \* lumbago, \* \* \* and rheumatic affections. Internally it is used to relieve nervousness and hysterical conditions, and colic and summer diarrhoea especially in children"; (carbolic acid, small size) "\* \* \* in all forms of local infections. \* \* \* painful ulcerations, carbuncles, boils and various local inflammations, infected wounds and glandular swellings. \* \* \* for the prevention of infection"; (carbolic acid, large size) "Externally in a 2 to 4 percent solution Carbolic Acid has been largely used \* \* \* in all forms of local infections, \* \* \* painful ulcerations, carbuncles, boils and various local inflammations, infected wounds and glandular swellings. It is also much used \* \* \* for the prevention of infection"; (cascara aromatic, carton) "\* \* \* for use