and Drugs Act as amended, on or about August 11, 1933, from the State of Alabama into the State of Tennessee, of a quantity of Phospho which was misbranded.

Analysis showed that the article consisted essentially of sodium phosphate, phosphoric acid, and water.

The article was alleged to be misbranded in that certain statements regarding its curative and therapeutic effects, borne on the bottle and carton labels, falsely and fraudulently represented that it was effective as a relief from indigestion, torpid liver, distress after eating, all stomach and bowel troubles, every kind of trouble of the stomach, bowels, liver, kidneys; effective as a relief from dyspepsia, biliousness, and sick headache; effective to eliminate uric acid from the system, and effective as a remedy for rheumatism.

On June 3, 1935, a plea of nolo contendere having been entered on behalf of the defendant company, a judgment of guilty was entered and a fine of $22.50 was imposed, together with $5 clerk's costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24645. Misbranding of White Cross Quinine and Iron Tonic. U. S. v. John H. Cash (American Drug Co.). Plea of nolo contendere. Judgment of guilty. Fine, $30.50.** (F. & D. no. 33829. Sample no. 39263-A.)

This case was based on a shipment of a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On December 17, 1934, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John H. Cash, trading as the American Drug Co., Mobile, Ala., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about November 11, 1933, from the State of Alabama into the State of Florida, of a quantity of White Cross Quinine and Iron Tonic which was misbranded.

Analysis showed that the article consisted of an aqueous solution containing in each 100 milliliters quinine sulphate, (2 grams), magnesium sulphate (Epsom salt, 48 grams), and an iron compound.

The article was alleged to be misbranded in that certain statements regarding its therapeutic and curative effects, appearing on a circular wrapper shipped with the article, falsely and fraudulently represented that it was effective as a treatment, remedy, and cure for chills and fever, dengue fever, and influenza; and effective as an excellent general system tonic.

On June 7, 1935, the defendant entered a plea of nolo contendere, was adjudged guilty and was fined $30.50.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24646. Adulteration and misbranding of pituitary extract and sodium cacodylate. U. S. v. William A. Fitch, Inc. Plea of guilty. Fine, $200.** (F. & D. nos. 30332, 33843. Sample nos. 20710-A, 52053-A.)

This case was based on an interstate shipment of pituitary extract which had a potency below that prescribed by the United States Pharmacopoeia, and of sodium cacodylate ampoules that contained a smaller amount of sodium cacodylate than declared on the label.

On May 7, 1935, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court an information against William A. Fitch, Inc., New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, from the State of New York into the State of New Jersey, on or about July 2, 1932, of a quantity of pituitary extract, and on or about October 31, 1933, of a quantity of sodium cacodylate which products were adulterated and misbranded. The articles were labeled in part: "Pituitary Extract Fitch Double Strength"; "Solution Sodium Cacodylate Fitch 1 Gm. (15½ grs.)."

The pituitary extract was alleged to be adulterated in that it was sold under a name recognized in the United States Phamacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, in that its potency was below the standard prescribed in that authority, and the standard of strength, quality, and purity of the article was not declared on the container. Adulteration of the pituitary extract was alleged for the further reason that its strength or purity fell below the professed standard and quality under which it was sold, since it was represented to be pituitary extract of double strength, whereas it was not.