The articles were alleged to be 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 in the said pharmacopoeia in the following respects: The boric acid ointment contained less than 100 grams, namely, not more than 88.3 grams of boric acid per 1,000 grams of the ointment; whereas the pharmacopoeia provides that ointment of boric acid shall contain 100 grams of boric acid per 1,000 grams of ointment; the blue ointment contained not more than 24.4 percent of mercury, whereas the pharmacopoeia provides that blue ointment shall contain not less than 29 percent of mercury, and the standard of strength, quality, and purity of the articles was not declared on the containers thereof. Adulteration was alleged for the further reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold in that they were represented to be products which conformed to the standard laid down in the United States Pharmacopoeia, whereas they did not conform to such standard.

Misbranding was alleged for the reason that the statements, (boric acid ointment) "We guarantee each ointment to be strictly U. S. P.", "Boric Acid Ointment U. S. P.", and "An antiseptic ointment", (blue ointment) "Blue Ointment, U. S. P.", appearing in the labeling, were false and misleading, since the articles did not conform to the standard laid down in the United States Pharmacopoeia, and the boric acid ointment was not an antiseptic ointment. The information also charged a violation of the Insecticide Act of 1910, reported in notice of judgment no 1426, published under that act.

On July 12, 1935, defendant William D. Koster entered a plea of guilty to all charges. On July 15, 1935, defendant Albert Springer also pleaded guilty to all charges. Each defendant was sentenced to pay a fine of $50 on each count of the information. Fines on all counts but the first were suspended as to both defendants.

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

25028. Adulteration and misbranding of iron cacodylate and iron and arsenic. U. S. v. Intravenous Products Co. of America, Inc. Plea of guilty. Fine, $400. (F. & D. no. 32134. Sample nos. 10209-A, 10210-A, 10215-A.)

This case involved a shipment of iron cacodylate and iron and arsenic, which differed from the standard of strength declared on the label.

On July 10, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Intravenous Products Co. of America, Inc., New York, N. Y., on or about September 2, 1932, from the State of New York into the State of New Jersey of quantities of iron cacodylate ampoules and iron and arsenic ampoules which were adulterated and misbranded.

The information charged that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold in that each ampoule of iron cacodylate was represented to contain 0.06 gram (1 grain) of iron cacodylate per cubic centimeter of the article, whereas each of said ampoules contained less than 0.06 gram (1 grain), namely, not more than 0.0262 gram, i. e., 0.4043 grain (two-fifths grain) of iron cacodylate per cubic centimeter of the article; one lot of the iron and arsenic was represented to contain in each ampoule 0.065 gram (1 grain) of ferric dimethylarsenate and 0.2 gram (3 grains) of sodium dimethylarsenate per 5 milliliters, i. e., 5 cubic centimeters, whereas each of said ampoules contained more ferric dimethylarsenate and less sodium dimethylarsenate than represented, namely, not less than 0.124 gram (1.91 grains) of ferric dimethylarsenate and not more than 0.0747 gram (1.15) grains of sodium dimethylarsenate per 5 milliliters, i. e., 5 cubic centimeters of the article; and in the remaining lot of iron and arsenic each ampoule was represented to contain 0.125 gram (2 grains) of ferric dimethylarsenate and 0.4 gram (6 grains) of sodium dimethylarsenate per 10 milliliters, i. e., 10 cubic centimeters of the article, whereas each of said ampoules contained more ferric dimethylarsenate and less sodium dimethylarsenate, than represented, namely, not less than 0.2152 gram (3.32 grains) of ferric dimethylarsenate; and not more than 0.2166 gram (3.34 grains) of sodium dimethylarsenate per 10 milliliters, i. e., 10 cubic centimeters of the article.

Misbranding was alleged for the reason that the following statements borne on the labels, were false and misleading: (Iron cacodylate, box) "1 c. c. ampoules * * * Iron Cacodylate (1 grain)", (ampoule) "1 c. c. Iron Cacodylate 0.06 Gm. (1 gr.)"; (iron and arsenic, box in one lot) "Each 5 c. c. Am-

poule represents: Ferric Dimethylarsenate 0.065 Gm. (1 grain) Sodium Dimethylarsenate 0.2 Gm. (3 grains)", (ampoule) "Five mils represent Ferric Dimethylarsenate 0.065 Gm. (1 grain), Sodium Dimethylarsenate 0.2 Gm. (3 grains)" iron and arsenic, box in second lot) "Each 10 c. c. ampoule represents: Ferric Dimethylarsenate 0.125 Gm. (2 grains) Sodium Dimethylarsenate 0.4 Gm. (6 grains) * * * Fer. Dimethylars. 2 grs. and Sod. Dimethylars. 6 grs.", (ampoule) "Ten mils represent Colloidal Ferric Dimethylarsenate 0.125 Gm. (2 grains) Sodium Dimethylarsenate 0.4 Gm. (6 grains)."

On July 29, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of $400.

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

25029. Misbranding of Father Mollinger's Famous Herb Tea, Father Mollinger's Original Prescription for Female Complaints, and Mollinger's Original White Salve. U. S. v. Joseph R. Hite (Mollinger Co.) Plea of guilty. Fine, $50 and costs. (F. & D. no. 33922. Sample nos. 61086-A, 61818-A, 62019-A, 72481-A.)

This case was based on interstate shipments of drug preparations which were misbranded because of unwarranted curative or therapeutic claims in the labeling.

On May 24, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joseph R. Hite, trading as the Mollinger Co., Pittsburgh, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 6 and March 26, 1934, from the State of Pennsylvania into the States of Louisiana and Texas, respectively, of quantities of Father Mollinger's Famous Herb Tea; on or about February 23, 1934, from the State of Pennsylvania into the State of Kansas of a quantity of Father Mollinger's Original Prescription for Female Complaints; and on or about April 24, 1934, from the State of Pennsylvania into the State of Kentucky of a quantity of Mollinger's Original White Salve, which products were misbranded.

Analyses showed that the herb tea consisted essentially of ground drugs, including senna leaves, uva ursi, sassafras bark, fennel, lavender flowers, mandrake, couch grass, anise seed and elder flowers; that the prescription for female complaints consisted of tablets containing extracts of plant drugs; and that the white salve consisted essentially of zinc oxide (15.5 percent), boric acid (5.1 percent), and a small proportion of phenol, incorporated in a petrolatum base.

The articles were alleged to be misbranded in that certain statements in the labeling falsely and fraudulently represented that the herb tea was effective as a benefit to sick humanity; as a powerful body and blood purifier; as a health restorer, and as a stomach, liver, and kidney regulator; effective as a treatment, remedy, and cure for all the family in cases of torpid liver, stomach troubles, headaches, and all diseases of the blood; effective to keep the system free from toxic poisons, to remove the cause of fever and the origin of disease, to remove body poisons, to make old folks healthier and happier, to retain youthful vigor, to relieve stomach disorders, indigestion, dyspepsia, and headaches, to prevent constipation, to clear the skin, to remove pimples and blemishes, to produce pure red blood, a clean liver, and healthy kidneys; and effective as a treatment for every form of disease; that the prescription for female complaints was effective as a treatment, remedy, and cure for female complaints. sluggishness of the liver, amenorrhoea, dysmenorrhoea, irregular menstruation, weakness and disorders of the female generative organs and all female complaints; and effective to give tone to the uterine and ovarian ligaments and to restore the system to a healthy condition; and that the white salve was effective as a treatment for inflamed surfaces and skin diseases such as eczema, tetter, or salt rheum, itch, scald head, pimples, and blotches, old sores, and ulcers of all kinds; and effective to relieve inflammation promptly.

On August 1, 1935, the defendant entered a plea of guilty and the court imposed a fine of $50 and costs.

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

25030. Misbranding of Ward's Chic Cura and Ward's Sore Throat Syrup. U. S. v. Dr. Ward's Medical Co. Plea of nolo contendere. Fine, $45. (F. & D. no. 33964. Sample nos. 41267-A, 41360-A.)

This case was based on interstate shipments of drug preparations the labeling of which contained unwarranted curative and therapeutic claims. The