

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

25801-25850

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 19, 1936]

25801. Misbranding of ammonia water. U. S. v. Wilbur E. Crofton (Kight's Drug Store). Plea of guilty. Fine, \$10. (F. & D. no. 33911. Sample no. 62477-A.)

This case involved ammonia water that was approximately 40 percent below the minimum strength required by the United States Pharmacopoeia.

On May 15, 1935, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District an information against Wilbur E. Crofton, trading as Kight's Drug Store, Washington, D. C., charging sale in the District of Columbia by said defendant in violation of the Food and Drugs Act, on or about May 10, 1934, of a quantity of ammonia water that was misbranded. The article was labeled in part: "Stronger Ammonia Water Poison * * * Sold by Kight's Drug Stores * * *, Washington, D. C."

The article was alleged to be misbranded in that it was sold under 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 said pharmacopoeia, and its own standard was not stated on the label.

The information also charged a violation of the Federal Caustic Poison Act, reported in notice of judgment no. 50 published under that act. On May 15, 1935, the defendant entered a plea of guilty, and the court imposed a fine of \$10 for violation of both acts.

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

25802. Misbranding of Sulfo-Kresol-Tabs. U. S. v. Ehrhart & Karl, Inc. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 36941. Sample no. 19495-E.)

The label of this article misrepresented its formula and contained therapeutic and curative representations which were adjudged to be false and fraudulent.

On April 29, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ehrhart & Karl, Inc., a corporation, Chicago, Ill., alleging shipment in violation of the Food and Drugs Act, as amended, on or about April 24, 1935, from Chicago, Ill., to Franklin, Ind., of a quantity of Sulfo-Kresol-Tabs which were misbranded. The article was labeled in part: (Bottle) "Prepared by Ehrhart & Karl Manufacturing Chemists * * * Chicago, Ill."

Analysis showed that the tablets contained oxyquinoline sulphate (slightly more than one-fourth grain per tablet) and lactose; no free sulphur and no cresol were found.

Misbranding of the article was charged (a) under the allegations that there were borne on the label attached to the bottle the statements, to wit, "Sulfo-Kresol-Tabs (C₆-H₆-N. SO.)"; that the said statement represented that the article contained sulphur and cresol and the formula indicated a preparation containing no oxyquinoline sulphate; that the article contained no sulphur nor cresol, and did contain oxyquinoline sulphate; that the aforesaid statements