

27732. Misbranding of Trents Eucalyptol Compound. U. S. v. 216 Packages and 65 Packages of Trents Eucalyptol Compound. Default decrees of condemnation and destruction. (F. & D. Nos. 39947, 39948. Sample Nos. 31539-C, 31540-C, 31541-C, 31548-C.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On July 14, 1937, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 281 packages of Trents Eucalyptol Compound at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce in various shipments between the dates of November 10, 1936, and April 19, 1937, by John J. Samuels from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Trents Eucalyptol Compound * * * Prepared by John J. Samuels, Chicago, Ill."

Analyses showed that the article consisted essentially of water, sugar, gum, and small proportions of eucalyptol and menthol.

It was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, were false and fraudulent: (All bottles, cartons, and wrappers) "Effective in the treatment of Coughs * * * Hoarseness, Irritated * * * Throat and other ailments of the air passages * * * Where the cough is troublesome and continuous take small doses, from fifteen to twenty drops every fifteen minutes"; (some cartons and wrappers) "The use of Eucalyptus in the treatment of throat and lung affections * * * has won a reputation as a curative agent * * * It is prompt and effective"; (other cartons) "The use of Eucalyptus in the treatment of throat affections * * * has won a reputation * * * It is prompt and effective."

On September 27, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27733. Adulteration and misbranding of ampuls of Postpituitary and of Post-Pituitary extract. U. S. v. 58 Boxes of Postpituitary and 2 Boxes of Post-Pituitary Extract. Default decree of condemnation and destruction. (F. & D. Nos. 39945, 39946. Sample Nos. 27474-C, 27475-C.)

These products fell below the professed standard of strength under which they were sold, the former having a potency of about one-twentieth of that declared on the label and the latter having a potency not exceeding one eight-hundredth of its designated strength.

On July 8, 1937, 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 a libel praying seizure and condemnation of 58 boxes, each containing 6 ampuls of Postpituitary, and 2 boxes, each containing 6 ampuls of Post-Pituitary extract, at New York, N. Y., alleging that the articles had been shipped from Rome, Italy, by Istituto Terapeutico Romano into the State of New York, the former on or about April 9, 1937, and the latter on or about November 7, 1936, and charging adulteration and misbranding in violation of the Food and Drugs Act.

The Postpituitary was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Each cc. corresponds to 10 U. I. [Unite Internazionale, i. e. international units]," since the strength of the article did not exceed one-half international unit per cubic centimeter. The Post-Pituitary extract was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, (carton) "1 cc. of this solution corresponds to gm. 0.2 of fresh post-pituitary substance," since its strength did not exceed one eight-hundredth of its label declaration.

The Postpituitary was alleged to be misbranded in that the statement "Ampoules Postpituitary" was misleading since it led the purchaser to believe that the article consisted of ampuls containing liquor pituitarii posterii of the strength set forth in the United States Pharmacopoeia; whereas it did not consist of ampuls containing liquor pituitarii posterii of the strength set forth in the pharmacopoeia. It was alleged to be misbranded further in that the statement on the carton, "Each cc. corresponds to 10 U. I.," was false and misleading since its strength did not exceed one half an international unit per cubic centimeter. The Post-Pituitary extract was alleged to be misbranded