

27911. Adulteration and misbranding of ephedrine hydrochloride capsules. U. S. v. Max J. Wolfson (Columbia Medical Laboratories). Plea of guilty. Fine, \$50. (F. & D. No. 39734. Sample Nos. 26672-C, 26673-C.)

This product was sold under the name ephedrine hydrochloride, whereas it consisted of ephedrine sulphate.

On September 9, 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 an information against Max J. Wolfson, trading as the Columbia Medical Laboratories, New York, N. Y., alleging shipment by said defendant on or about January 18, 1937, from the State of New York into the State of New Jersey of a quantity of ephedrine hydrochloride capsules that were adulterated and misbranded. The article was labeled in part; "Columbia Ephedrine Hydrochloride * * * Columbia Medical Laboratories New York, N. Y."

It was alleged to be adulterated 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 therein since it was not ephedrine hydrochloride, but was ephedrine sulphate.

The article was alleged to be misbranded in that the statement on the bottle, "Ephedrine Hydrochloride," was false and misleading.

On September 17, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27912. Misbranding of Reliable Perio Pills, Rex Improved Hygienic Powder, and Rex Pep-Tone Pills. U. S. v. Rex Drug Co., Lewis Podrofski, and William Jansen. Pleas of guilty. Fines totaling \$75. (F. & D. No. 39739. Sample Nos. 35134-C, 35135-C, 35136-C.)

The labeling of these products contained false and fraudulent representations regarding their curative or therapeutic effects.

On August 19, 1937, 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 the Rex Drug Co., a corporation, Chicago, Ill., and Lewis Podrofski and William Jansen, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about January 4, 1937, from the State of Illinois into the State of New Jersey of quantities of the above-named drug preparations that were misbranded. The articles were labeled in part variously: "Reliable Perio Pills * * * Reliable Medical Co. * * * Chicago, Ill."; "Rex Improved Hygienic Powder [or "Rex Pep-Tone Pills"] * * * Rex Drug Co. * * * Chicago, Ill."

The Perio "Pills" consisted of brown and pink tablets. Analyses showed that the brown tablets consisted essentially of compounds of sodium and iron, sulphates, carbonates, and aloe coated with calcium carbonate; and that the pink tablets consisted essentially of phenolphthalein and ginger, with sugar and calcium carbonate. Analyses of the other products showed that the Improved Hygienic Powder consisted essentially of boric acid (99.2 percent) and a small amount of thymol; and that the Pep-Tone Pills consisted essentially of iron and sodium, sulphates, carbonates, and zinc phosphide coated with calcium carbonate.

The information alleged that the articles were misbranded in that the following statements appearing in the labeling, regarding their curative and therapeutic effects, were false and fraudulent: (Perio Pills, carton) "Perio Pills", "A Help to Nature in Menstrual Irregularities and Disorders"; (Perio Pills, circular) "Female Regulating Pills," "A Reliable and Effectual Remedy for Painful and Scanty Menstruation," "Obstinate Cases of Painful Menstruation," "To Prevent Irregularities"; (Hygienic Powder, canister) "Indicated in Lucorrhoea, Gonorrhoea, Vaginitis, Endometritis, Pruritis, Vulva And in Cases of Fetid Discharges," "In severe cases douche two or three times daily until normal conditions have been restored"; (Pep-Tone Pills, inner carton) "Pep-Tone," "A Conditioning Tonic," "Helps build up the blood and aids in the restoration of shattered nerve forces."

On October 26, 1937, pleas of guilty were entered on behalf of the defendants and the court imposed fines totaling \$75.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27913. Adulteration and misbranding of phenobarbital sodium and adulteration of Pitui-post ampuls. U. S. v. The Intra Products Co. Plea of guilty. Fine, \$300. (F. & D. No. 39763. Sample Nos. 30765-C, 30773-C.)

This case involved phenobarbital sodium ampuls that were contaminated with viable micro-organisms, whereas drugs in ampuls are required to be in a sterile condition; also Pitui-post ampuls which differed from the standard for powdered posterior pituitary laid down in the National Formulary.