

28325. Adulteration and misbranding of Endofollicolina. U. S. v. 353 Boxes, et al., of Endofollicolina. Default decrees of condemnation and destruction. (F. & D. Nos. 40154, 40226. Sample Nos. 38096-C, 38097-C.)

This product fell below its professed standard, some samples having been found to possess a potency of less than one-half, some less than one-third, and others less than one-fourth of that declared.

On August 20 and September 2, 1937, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 450 boxes of Endofollicolina at New York, N. Y., alleging that the article had been shipped by Istituto Serioterapico Milanese, in part from Genoa, Italy, on or about March 25, 1937, and in part from Milan, Italy, on or about April 14, 1937, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion was labeled: "1000 mouse units per cc. corresponding to 3000 international units." The remainder was labeled "10000 mouse units per cc. corresponding to 30000 international units." All was labeled "Endofollicolina * * * (Follicular Ovarian Hormone in oily solution)."

The article was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, (boxes) "Endofollicolina * * * (Follicular Ovarian Hormone * * *) 1000 [or "10000"] mouse units per cc. corresponding to 3000 [or "30000"] international units determined with the international standard (ketoxyhydroxyoestrin)," (ampuls) "Endofollicolina 1000 [or "10000"] U. T. per cc. * * *" since it contained appreciably less than the stated amount of follicular ovarian hormone.

It was alleged to be misbranded in that the above-quoted statements, borne on the boxes and ampuls, were false and misleading.

No claim having been entered for the lot seized under the libel filed September 2, 1937, it was condemned and ordered destroyed on October 13, 1937. On February 1, 1938, the Italian Drugs Importing Co. Inc., New York, N. Y., claimant in the remaining proceeding, being in default for failure to answer or otherwise plead, judgment was entered condemning the goods seized and ordering that they be destroyed and that costs be taxed against claimant.

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

28326. Adulteration and misbranding of surgical absorbent cotton. U. S. v. 19 Cases of Surgical Absorbent Cotton. Default decree of condemnation and destruction. (F. & D. No. 40418. Sample No. 26939-C.)

This product was represented to be absorbent cotton suitable for surgical use, whereas it was contaminated with viable micro-organisms.

On October 4, 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 19 cases of surgical absorbent cotton at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 15, 1937, by the Acme Products Co., Inc., from East Killingly, Conn., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, namely, "Surgical Absorbent Cotton," since it purported to be suitable for surgical use; whereas it was not sterile but contained viable aerobic and anaerobic or facultative anaerobic micro-organisms, rendering it unsuitable for surgical use.

It was alleged to be misbranded in that the statement on the label, "Surgical Absorbent Cotton," was false and misleading as applied to an article that was not suitable for surgical use in that it was not sterile but was contaminated with viable micro-organisms.

On October 20, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28327. Adulteration of chloroform. U. S. v. 35 Bottles and 52 Bottles of Chloroform for Anesthesia. Default decree of condemnation and destruction. (F. & D. No. 41428. Sample Nos. 45270-C, 45555-C.)

This product failed to conform to the test laid down in the United States Pharmacopoeia for the absence of impurities, and its own standard was not declared.

On January 14, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the