

Misbranding was alleged in that the statement on the label, "Oil Sandalwood East Indian USP," was false and misleading since it caused the purchaser to believe that the article was sandalwood oil; whereas it did not meet the requirements of the United States Pharmacopoeia for sandalwood oil, since it contained terpineol. A portion of the article was alleged to be misbranded further in that it was offered for sale and sold under the name of another article.

On October 17, 1938, Magnus, Mabee & Reynard, Inc., having filed an answer in the action instituted at Detroit, Mich., admitting the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled "Oil of Sandalwood and Terpineol. For technical use only."

On October 18, 1938, no claim having been entered in the remaining action, judgment of condemnation was entered and the product was ordered destroyed.

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

30784. Adulteration and misbranding of cod-liver oil. U. S. v. Six Drums of Non Destearinated Cod Liver Oil. Decree of condemnation. Product released under bond for relabeling. (F. & D. No. 45453. Sample No. 41823-D.)

This product contained approximately three-fourths the amount of vitamin D it was represented to contain.

On June 6, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six drums of cod-liver oil at Lansdale, Pa.; alleging that the article had been shipped in interstate commerce on or about December 30, 1938, by Wm. J. Wardall, trustee for McKesson & Robbins, Inc., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was labeled in part "160 D." The invoice covering the sale bore the statement "Poultry C L O 160 Vit D 1000 Vit A Per Gram."

It was alleged to be adulterated in that its strength and purity fell below the professed standard under which it was sold, namely, the statement on the label "160 D," and the representation in the invoice to the effect that it contained 160 units of vitamin D per gram, since it did not contain 160 A.O.A.C. chick units of vitamin D per gram, but did contain a less amount.

Misbranding was alleged in that the statement "160 D," borne on the label, was false and misleading, since it represented that the article contained 160 A.O.A.C. chick units of vitamin D per gram; whereas it contained a smaller amount.

On June 26, 1939, McKesson & Robbins, Inc., by Wm. J. Wardall, trustee, having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of this Department.

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

30785. Misbranding of Vino San Lazaro and Remedio San Lazaro. U. S. v. 2,275 Cartons of Vino San Lazaro and 1,184 Cartons of Remedio San Lazaro. Consent decrees of condemnation. Products released under bond for relabeling. (F. & D. Nos. 44183, 44184. Sample Nos. 5136-D, 11962-D.)

The labeling of these products bore statements, designs, and devices regarding their curative and therapeutic effects which were false and fraudulent.

On September 17, 1938, the United States attorney for the District of Puerto Rico, acting upon a report by the Department of Health of Puerto Rico, filed in the district court two libels praying seizure and condemnation of 2,275 cartons of Vino San Lazaro and 1,184 cartons of Remedio San Lazaro at Santurce, P. R.; alleging that the articles were in possession of West Indies Patent Medicine Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of Vino San Lazaro showed that it was an aromatic, dark brown water solution containing about 30 percent of sugar, about 14 percent of alcohol, about 1 percent of a phosphate or other phosphorus compound, about 1 percent of protein material, about 0.5 percent of lecithin, and minute traces of copper and manganese possibly as constituents of liver extract. Analysis of a sample of Remedio San Lazaro showed that it was a dark brown sugar sirup containing about 4 percent of salicylate of soda, together with traces of an iodide and of an alkaloidal drug (possibly colchicum), a small amount of cascara, and flavoring material (possibly including sarsaparilla).