

one ampul was found to contain nothing but water and the remainder of said ampuls contained less sodium salicylate and less sodium iodide than the amount declared.

On February 13, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$1,200, i. e., \$200 on each of six counts.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30988. Adulteration and misbranding of santal oil capsules. U. S. v. 6,720 5-Minim Capsules, 4,700 5-Minim Capsules, and 840 10-Minim Capsules of Santal Oil. Default decrees of condemnation and destruction. (F. & D. Nos. 42377, 42436, 42437. Sample Nos. 25238-D, 25241-D, 25242-D.)

This product was labeled to indicate that it was oil of santal; whereas it contained a derivative of phthalic acid, a benzyl compound, and terpineol, substances foreign to oil of santal.

On May 13 and 23, 1938, 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 11,420 5-minim capsules and 840 10-minim capsules of santal oil at New York, N. Y.; alleging that 6,720 5-minim capsules of the article had been shipped in interstate commerce on or about October 29, 1935, by Gelatin Products Co. from Detroit, Mich., and that the remainder had been shipped on or about April 25, 1938, by Levy Drugs, Inc., from Tampa, Fla.; and charging that the former shipment was misbranded and that the latter shipment was adulterated and misbranded in violation of the Food and Drugs Act. The former shipment was labeled in part: "Capsules * * * Santal Oil, U. S. P. * * * (Pure) (East India) * * * Premo Pharmaceutical Laboratories Distributors"; the latter shipment was labeled in part: "Capsules * * * Santal Oil (Pure) (East India) * * * Premo Pharmaceutical Laboratories * * * New York, N. Y. Sole Distributors."

The Premo Pharmaceutical Laboratories, the firm in possession of the goods at the time of seizure, was not the producer but was the distributor and held guaranties from the firm from which the drug was purchased that it was not adulterated or misbranded in violation of the Food and Drugs Act. In compliance with instructions from the distributor the oil had been delivered by the firm from which it was purchased, to certain firms for capsulation, which firms shipped it in interstate commerce, as alleged in the libels.

The shipment from Detroit was alleged to be misbranded in that the statement on the label, "Santal Oil * * * Santal Oil U. S. P. * * * (Pure) (East India)," was false and misleading since the article was not santal oil of U. S. P. quality in that it did not have the characteristic odor of santal oil, it was not soluble in 70 percent alcohol, and it contained a benzyl compound, a derivative of phthalic acid, and terpineol.

The shipment from Tampa was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Santal Oil (Pure) (East India)," since it was not the volatile oil distilled with steam from the dried heartwood of *Santalum album* Linné, in that it contained a derivative of phthalic acid, a benzyl compound, and terpineol. The said shipment was alleged to be misbranded in that the statement on the label, "Santal Oil (Pure) (East India)," was false and misleading.

On December 9, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30989. Adulteration and misbranding of chloral hydrate compound, Collyrium (eye lotion), Haglogen, solution of sodium cacodylate, and bichloride tablets. U. S. v. Clifford V. Haver, Louis A. Merillat, Mrs. Myrtle Mary Haver, and William Earl Cahill, trading as a business trust under the name of the Haver-Glover Laboratories. Plea of guilty on behalf of the company; fine \$260. Plea of nolo contendere by Louis A. Merillat; fine \$20. (F. & D. No. 42656. Sample Nos. 15393-D, 15395-D, 15397-D, 15399-D, 15703-D, 15719-D.)

This case involved the following products: Chloral hydrate compound which contained smaller proportions of chloral hydrate and potassium than those declared; Collyrium (eye lotion) which contained smaller proportions of sulfate of zinc, boracic acid, and procaine than those declared; Haglogen the labeling of which bore false and misleading representations regarding its effectiveness as an antiseptic and disinfectant, and false and fraudulent curative and thera-