1267. Adulteration of oil of lemon. U. S. v. 4 Barrels of Oil of Lemon (and 1 other seizure action against oil of lemon). Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 9962, 10317. Sample Nos. 11304–F, 11326–F to 11328–F, incl.)

On May 19 and July 30, 1943, the United States attorney for the Northern District of California filed libels against the following quantities of oil of lemon at San Francisco, Calif.: 4 55-gallon barrels, 4 drums, each labeled as containing 393 pounds (or other weight), 2 385-pound drums, and 13 cases, each containing 2 25-pound cans; alleging that the article had been shipped by Standard Synthetics, Inc., from New York, N. Y., from on or about August 24, 1942, to April 2, 1943; and charging that it was adulterated. A portion, 4 drums, was labeled in part, "Oil Lemon Baja Brand." The remainder was labeled in part: "Oil Lemon Baja Brand U. S. P.," "Oil Lemon Baja Brand," or "Oil of Lemon Baja Brand," the last 2 lots having been invoiced as U. S. P. oil of lemon.

The article, with the exception of the 4-drum lot, was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its strength differed from and its quality and purity fell below the standard set forth therein since the article was a distillate or mixture of distillates of lemon oil, and not lemon oil obtained by expression from the peel of the lemon.

The article was also alleged to be adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On February 16, 1944, the libel proceedings having been consolidated and removed to the Eastern District of New York for trial, and Standard Synthetics, Inc., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

1268. Adulteration of Koagamin. U. S. v. 1,000 Units of Koagamin (and 3 other seizure actions against Koagamin). Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed. (F. D. C. Nos. 11449, 11450, 11599, 11600. Sample Nos. 29636–F, 29637–F, 29639–F, 29640–F.)

Between December 16, 1943, and January 13, 1944, the United States attorneys for the Eastern District of Missouri and the District of Colorado filed libels against 2,000 vials and 2,100 boxes, each containing 6 vials, of Koagamin at St. Louis, Mo., and against 1,000 units and 1,000 boxes, each containing 6 vials, of the product at Denver, Colo.; and on January 31, 1944, the libel against the 2,000-vial lot was amended to describe the amount as 2,000 boxes, each containing 6 vials, of the product. It was alleged in the libels that the article, which had been consigned by Chatham Pharmaceuticals, Inc., had been shipped from Newark, N. J., on or about November 23 and December 18, 1943.

The article was alleged to be adulterated in that its purity and quality fell below that which it purported and was represented to possess, i. e., "Intramuscular or Intravenous Injection," since it was not suitable for parenteral use because of contamination with undissolved material.

On January 31 and February 11, 1944, no claimant having appeared for two of the lots, judgments of condemnation were entered and the product was ordered destroyed. On March 2 and 10, 1944, Chatham Pharmaceuticals, Inc., claimant, having admitted the allegations of the libels against the other two lots, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

1269. Adulteration and misbranding of tincture of Hyoscyamus. U. S. v. 21 Bottles of Tincture of Hyoscyamus. Default decree of condemnation and destruction. (F. D. C. No. 12302. Sample No. 23757–F.)

On May 2, 1944, the United States attorney for the Eastern District of Pennsylvania filed a libel against 21 1-pint bottles of the above-named product at Philadelphia, Pa., alleging that the article had been shipped on or about June 7, 1943, by the Elvita Research Laboratories, Inc., from New York, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, but its strength differed from the official standard, which provides that tincture of Hyoscyamus shall contain in each 100 cc. not less than 0.0034 gram of the alkaloids of Hyoscyamus, and not less than 65 percent of alcohol. The article was found to contain not more than 0.0028 gram of the alkaloids of Hyoscyamus in each 100 cc., and approximately 55.9 percent of alcohol.

It was alleged to be misbranded in that the statements on the label, "Tincture of Hyoscyamus U. S. P. XI * * * Alcohol, 68% by volume * * * 100 c. c.