1061. Adulteration and misbranding of Colloidum Nux Vomica. U. S. v. Lloyd Brothers, Pharmacists, Inc. Plea of guilty. Fine, $400. (F. D. C. No. 9683. Sample Nos. 31961–F, 32012–F.)

On September 8, 1943, the United States attorney for the Southern District of Ohio filed an information against Lloyd Brothers, Pharmacists, Inc., Cincinnati, Ohio, alleging shipment from the State of Ohio into the State of Indiana, on or about October 22 and November 9, 1942, of quantities of the above-named product.

The article was alleged to be adulterated in that its strength differed from that which it was represented to possess, since it was represented to be of the same drug strength as fluidextract of nux vomica, a drug which contains in each 100 cc. not less than 1.05 grams of strychnine; and it was further represented to contain 1.15 percent of strychnine, whereas it contained not more than 0.98 gram of strychnine in each 100 cc., and not more than 0.98 percent of strychnine weight to volume.

The article was alleged to be misbranded in that the statements in its labeling, "Colloidum Nux Vomica * * * Same drug strength as Fluid Extract" and "Standardized to contain 1.15 percent of strychnine," were false and misleading.

On November 2, 1943, the defendant having entered a plea of guilty, the court imposed a fine of $100 on each of 4 counts, a total fine of $400.

1062. Adulteration and misbranding of sodium phosphate. U. S. v. 5 Cases of Sodium Phosphate. Default decree of condemnation and destruction. (F. D. C. No. 9784. Sample No. 7052–F.)

Examination showed that the contents of some packages of this product lost weight, upon drying, in excess of 50 percent (maximum, 58.49 percent), whereas the United States Pharmocopoeia provides that sodium phosphate loses not more than 50 percent in weight upon drying. The product was also short weight.

On April 9, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 5 cases, each containing 144 cans, of sodium phosphate at St. Louis, Mo., alleging that the article had been shipped in interstate commerce by the War Department, from New York, N. Y., on or about March 18, 1943; and charging that it was adulterated and misbranded. The article was labeled in part: "¼ lb. Net Sodium Phosphate U. S. P. * * * Industrial Distributors, Inc New York, N. Y."

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 and its quality fell below the standard set forth therein. It was alleged to be misbranded in that it failed to bear a label containing an accurate statement of the quantity of the contents of the package.

On May 27, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1063. Adulteration of sodium citrate. U. S. v. 5,034 Cartons of Sodium Citrate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 10011. Sample No. 4491–F.)

On or about May 28, 1943, the United States attorney for the Southern District of Ohio filed a libel against 5,034 cartons, each containing 6 ampuls, 50-cc. size, of sodium citrate at Sharonville, Ohio, alleging that the article, which had been consigned on or about April 20, 1943, had been shipped by the Lakeside Laboratories, Inc., from Milwaukee, Wis.; and charging that it was adulterated. The article was labeled in part: "Sterile Sodium Citrate 2.5%."

It was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which, "Anticoagulant Solution of Sodium Citrate No. 3—Sterile Anticoagulant Solution of Sodium Citrate for Parenteral Use," is recognized in the United States Pharmacopoeia, an official compendium, but the quality and purity of the article fell below the pharmacopoeial requirement that it be clear and free from turbidity or undissolved material which can be detected readily when examined in the manner directed by that compendium, since the solution contained undissolved particles which could be detected readily when so examined; and the difference in quality and purity from the official standard was not stated plainly on the label.

On July 14, 1943, the Lakeside Laboratories, Inc., claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of all ampuls containing adulterants.