3453. Adulteration and misbranding of pentobarbital sodium. U. S. v. 10 Drums * * *. (F. D. C. No. 30672. Sample No. 17103–L.)

LIBEL FILED: March 5, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about January 24, 1951, by Strong, Cobb & Co., Inc., from Cleveland, Ohio.

PRODUCT: 10 5-pound drums of *pentobarbital sodium* at Los Angeles, Calif. Examination showed that the product contained not more than 92.2 percent pentobarbital sodium, calculated on the anhydrous basis. The Pharmacopoeia provides that pentobarbital sodium shall contain not less than 98.5 percent of pentobarbital sodium, calculated on the anhydrous basis.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "pentobarbital sodium," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium; and its strength differed from, and its quality and purity fell below, the official standard since it contained a lesser proportion of pentobarbital sodium and a greater proportion of impurities than that permitted by the official compendium.

Misbranding, Section 502 (a), the label statement "Pentobarbital Sodium U. S. P." was false and misleading as applied to an article which did not conform to the requirements of the United States Pharmacopoeia.

DISPOSITION: May 22, 1951. Strong, Cobb & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

3454. Adulteration and misbranding of Synthomenthol crystals. U. S. v. 5 Cans * * *. (F. D. C. No. 29503. Sample No. 14970–K.)

LIBEL FILED: July 25, 1950, Western District of Michigan; libel amended July 27, 1950.

ALLEGED SHIPMENT: On or about August 30, 1949, by the Bendix Chemical Corp., from New York, N. Y.

PRODUCT: 5 6-pound cans of *Synthomenthol crystals* at Kalamazoo, Mich.

LABEL, IN PART: "Synthomenthol Crystals Pure."

NATURE OF CHARGE: Adulteration, Section 501 (d) (2), 1-methyl-3-dimethylcyclohexanol-5 had been substituted for menthol U. S. P. synthetic, which the article was represented to be.

Misbranding, Section 502 (a), the label designation "Synthomenthol Crystals" was misleading as applied to an article which was not synthetic menthol.

DISPOSITION: June 1, 1951. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3455. Misbranding of Fountain of Youth. U. S. v. Da-Vi Cantubra Laboratory (Fountain of Youth and Fountain of Youth Mfg. Co.), David W. Holliday, and Viola G. Giering. Pleas of guilty. Fine of $1,000 against laboratory suspended; fine of $1,000 against Defendant Holliday and $500 against

*See also Nos. 3451–3454.