DRUGS SEIZED BECAUSE OF CONTAMINATION WITH FILTH

458. Adulteration of ampuls of triple distilled water. U. S. v. 4 Boxes of Ampuls of Triple Distilled Water. Default decree of condemnation and destruction. (F. D. C. No. 4399. Sample No. 57061–E.)

Samples of this triple distilled water were found to contain viable mold.

On April 18, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 4 boxes, each containing 25 ampuls of triple distilled water at Kirkwood, Mo., alleging that the article had been shipped in interstate commerce on or about March 6, 1941, by the Zeigler Pharmacal Co. from Buffalo, N. Y.; and charging that it was adulterated.

The article was alleged to be adulterated in that it consisted in part of a filthy substance, namely, mold. It was alleged to be adulterated further in that it purported to be a drug the name of which is recognized in an official compendium, the National Formulary, and its quality and purity fell below the standard set forth in such compendium since it contained micro-organisms; whereas the National Formulary requires that triple distilled water shall be free from micro-organisms.

On May 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 459 and 460 report the seizure and disposition of Hart's Asthma Medicine which was contaminated with mold growth; and the labeling of which failed to bear adequate warning statements and did bear false and misleading therapeutic claims.

459. Adulteration and misbranding of Hart's Compound Asthma Medicine. U. S. v. 96 2-Ounce, 78 4-Ounce, and 113 6-Ounce Packages of Hart's Compound Asthma Medicine. Default decree of condemnation and destruction. (F. D. C. No. 4376. Sample Nos. 55606–E to 55608–E, incl.)

On April 22, 1941, the United States attorney for the District of Oregon filed a libel against the above-named product at Portland, Oreg., alleging that it had been shipped by Hart's Asthma Medicine Co. from Buffalo, N. Y., within the period from on or about March 15, 1940, to on or about January 13, 1941; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of potassium iodide (approximately 64 grains per fluid ounce), glycerin, water, and flavoring materials including cinnamon and cardamom.

The article was alleged to be adulterated in that it consisted in part of a filthy substance, namely, mold.

It was alleged to be misbranded: (1) In that the labeling failed to bear such adequate warnings against use in those pathological conditions or by children where its use might be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form as are necessary for the protection of users. (2) In that representations in the labeling that it would be efficacious in the treatment of asthma, including the relief of paroxysms or spasmodic attacks, bronchial trouble including bronchitis and bronchial colds, and hay fever, and that it would preserve health, were false and misleading since it would not be efficacious for such purposes.

On June 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

460. Adulteration and misbranding of Hart's Compound Asthma Medicine. U. S. v. 48 2-Ounce, 24 4-Ounce, and 24 6-Ounce Packages of Hart's Compound Asthma Medicine. Default decree of condemnation and destruction. (F. D. C. No. 4377. Sample No. 55437–E.)

On April 28, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named product at Seattle, Wash., alleging that it had been shipped by McKesson & Robbins from Portland, Oreg., on or about February 26, 1941; and charging that it was adulterated and misbranded.

Analysis of a sample of the article showed that it consisted essentially of potassium iodide, glycerin, water, and flavoring materials, including cardamom and cinnamon.

The article was alleged to be adulterated in that it consisted in part of a filthy substance, namely, mold.

It was alleged to be misbranded: (1) In that the labeling failed to bear such adequate warnings against use in those pathological conditions or by children