The article was alleged to be adulterated in that a valuable constituent, vitamin B_1, had been in whole or in part omitted or extracted therefrom; and in that its strength differed from and its quality fell below that which it was represented to possess.

It was alleged to be misbranded in that the statement, "Each Tablet Contains not less than 48 International Units Vitamin B_1", was false and misleading since it was incorrect.

On February 26, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

286. Adulteration and misbranding of Codroil. U. S. v. Pho-So-Ash Products Corporation. Plea of guilty. Fine, $50 and costs. (F. D. C. No. 963. Sample Nos. 55958–D, 75454–D.)

This veterinary product contained less than one-half the amount of vitamin D and less than one-third the amount of vitamin A declared on the label.

On June 10, 1940, the United States attorney for the Northern District of Indiana filed an information against the Pho-So-Ash Products Corporation, Kendallville, Ind., alleging shipment on or about September 8 and 29, 1939, from the State of Indiana into the States of Michigan and Ohio of quantities of Codroil which was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality or purity fell below that which it purported or was represented to possess in that each pound of the article was represented to contain 40,000 units of vitamin D and 77,600 units of vitamin A; whereas each pound of the article contained not more than approximately 18,144 units of vitamin D and not more than approximately 22,680 units of vitamin A.

It was alleged to be misbranded in that the statements "40,000 Units Vitamine D and 77,600 Units Vitamine A per pound. Codroil is fully guaranteed as to Vitamine content," borne on the drum label, were false and misleading in that they represented that each pound of the article contained 40,000 units of vitamin D and 77.600 units of vitamin A; whereas each pound of the article contained less than 40,000 units of vitamin D and less than 77,600 units of vitamin A. It was alleged to be misbranded further in that the statements "Cod Liver Oil Concentrate 4% (5,750 Units Vitamin A per gram, 3,850 units Vitamin D per gram)," borne on the tag affixed to the drum, were false and misleading in that they represented that the article contained 4 percent of cod-liver-oil concentrate and that the cod-liver-oil concentrate so present contained 5,750 units of vitamin A per gram and 3,850 units of vitamin D per gram, that is to say, that the article contained in each gram not less than 230 units of vitamin A and not less than 150 units of vitamin D; whereas it contained not more than 50 units of vitamin A and not more than 40 units of vitamin D per gram.

On January 27, 1941, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50 and costs.

DIGITALIS

287. Adulteration and misbranding of digitalis leaves. U. S. v. 7 Bags of Digitalis Leaves. Default decree of condemnation and destruction. (F. D. C. No. 2488. Sample No. 10799–E.)

This product possessed a potency of about 71 percent of the pharmacopoeial standard for digitalis leaves. Furthermore, it was contained in paper sacks inclosed in burlap bags and not in waterproof and airtight containers as prescribed in the pharmacopoeia.

On August 5, 1940, the United States attorney for the Southern District of New York filed a libel against 7 bags of digitalis leaves at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 24, 1940, by the Oregon Forest Products from Salem, Oreg.; and charging that it was adulterated and misbranded. The article was labeled in part: "2nd Grade Digitalis. U. S. P. not Guaranteed."

It 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 but its strength differed from the standard set forth in such compendium.

It was alleged to be misbranded in that it was not packaged as prescribed in the United States Pharmacopoeia, since it was not contained in waterproof and airtight containers.

On September 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.