

The article was alleged to be adulterated in that it was represented as an anti-septic and its strength differed from and its quality fell below that which it purported and was represented to possess, since it was not antiseptic. It was alleged to be misbranded in that the statement, "Antiseptic," borne on the labeling was false and misleading since the drug was not an antiseptic.

Examination of a sample of aromatic spirit of ammonia showed that the product did not conform to the specifications in the United States Pharmacopoeia in that there was a very material excess of ammonia. The article was alleged to be adulterated in that it purported and was represented to be a drug the name of which is recognized in the United States Pharmacopoeia, and its strength differed from the standard set forth in that compendium, since it contained not less than 2.95 grams of total ammonia in each 100 cc. and not more than 58.2 percent of alcohol, whereas the United States Pharmacopoeia provides that aromatic spirit of ammonia shall contain not more than 2.1 grams of total ammonia in each 100 cc. and not less than 62 percent of alcohol by volume. The article was alleged to be misbranded in that the name and address of the manufacturer appearing on the label was not placed with such conspicuousness as to render it likely to be read by the ordinary individual under customary conditions of purchase and use; it was in very small type and, in some instances, illegible.

Analysis of a sample of sweet spirit of nitre showed that the product did not conform to the specifications in the United States Pharmacopoeia in that there were varying shortages of ethyl nitrite in the various units examined. The article was adulterated in that it purported and was represented to be a drug recognized in the United States Pharmacopoeia, and its strength differed from the standard set forth in that compendium since it contained ethyl nitrite in amounts ranging from 0.77 to 2.09 percent, and its specific gravity was 0.8347 at 25° Centigrade, whereas the United States Pharmacopoeia provides that sweet spirit of nitre shall contain not less than 3.5 percent of ethyl nitrite, and that its specific gravity shall be not more than 0.823 at 25° Centigrade.

It was alleged to be misbranded in that the name and address of the manufacturer was inconspicuously placed on the label; it was in very small type and, in some instances, illegible.

On November 30, 1942, after a plea of guilty was entered, the court suspended the imposition of sentence for a period of 3 years, upon the condition that the defendant would not violate the Food, Drug, and Cosmetic Act and would pay a fine of \$200 under the probation statute.

865. Adulteration and misbranding of medical carbon dioxide and medical carbon dioxide and oxygen mixture. U. S. v. The Liquid Carbonic Corporation (Wall Chemicals Division of the Liquid Carbonic Corporation). Plea of guilty. Fine, \$200. (F. D. C. No. 7705. Sample Nos. 91275-E, 91276-E.)

On October 15, 1942, the United States attorney for the Northern District of Illinois filed an information against the Liquid Carbonic Corporation, trading at Chicago, Ill., under the name of the Wall Chemicals Division of the Liquid Carbonic Corporation, alleging shipment on or about March 12 and April 2, 1942, of quantities of the above-named products from the State of Illinois into the State of Wisconsin.

The medical carbon dioxide was alleged to be adulterated (1) in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia, and its quality and purity fell below the standard set forth in that compendium since it had a pronounced odor, whereas carbon dioxide, which conforms with the description and possesses the physical properties set forth in the United States Pharmacopoeia, is an odorless gas; and (2) in that a substance, nitric oxide, had been mixed with it so as to reduce its quality.

It was alleged to be misbranded in that the statements, "The purity of the contents of this cylinder has been determined and recorded. It conforms to the approved specifications for this gas * * *," appearing on the tag, were false and misleading since it contained an impurity, nitric oxide, and did not conform to the approved specifications for carbon dioxide gas.

The carbon dioxide and oxygen mixture was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess, since it was represented to contain 5 percent of carbon dioxide, whereas it contained not more than 3 percent of carbon dioxide.

It was alleged to be misbranded in that the statement, "5 percent Carbon Dioxide," borne on the labeling was false and misleading when applied to a drug that contained not more than 3.4 percent of carbon dioxide.

On December 22, 1942, a plea of guilty having been entered, the court imposed a fine of \$50 on each count, or a total of \$200.

866. Adulteration and misbranding of medical carbon dioxide. U. S. v. 4 Cylinders of Medical Carbon Dioxide. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 7527. Sample No. 91275-E.)

On May 18, 1942, the United States attorney for the Eastern District of Wisconsin filed a libel at Milwaukee, Wis., against 4 cylinders of medical carbon dioxide, alleging that the article had been shipped on or about March 12, 1942, by Wall Chemicals Division of the Liquid Carbonic Corp., from Chicago, Ill.

Carbon dioxide is an article described in the United States Pharmacopoeia as an odorless gas. Examination of the gas contained in the cylinders showed that it had a pronounced odor which was due to nitric oxide.

The article was alleged to be adulterated in that it purported to be a drug the name of which was recognized in an official compendium, but its quality or purity fell below the standard set forth in such compendium. It was also adulterated in that the article was a drug, and a substance, nitric oxide, had been mixed with it so as to reduce its quality.

The article was alleged to be misbranded in that the following statements appearing on the tag attached to the cylinder were false and misleading as applied to an article that did not conform to the approved specifications for such gas: "The Purity of the contents of this cylinder has been determined and recorded. It conforms to the approved specifications for this gas * * *."

On October 8, 1942, no claimant having appeared, decree of condemnation was entered and the product was ordered destroyed.

867. Adulteration and misbranding of sutures. U. S. v. 684 Tubes of Surgical Sutures. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 8151. Sample No. 74663-E.)

On August 17, 1942, the United States attorney for the Eastern District of New York filed a libel at Brooklyn, N. Y., against 684 tubes of surgical sutures, alleging that the article had been shipped in interstate commerce on or about March 28, 1942, by W. J. Prendergast from Chicago, Ill. The article was labeled in part: "Davis Surgical Gut U. S. P. C Medium Chromic (20-Day) Boilable 277 2."

Examination showed that the sutures were not sterile, but were contaminated with living aerobic spore-bearing bacilli.

The article was alleged to be adulterated in that it purported and was represented to be a drug recognized in the United States Pharmacopoeia and its purity fell below the standard set forth in such compendium, since the article was not sterile.

The article was alleged to be misbranded in that the statement in the labeling, "Guaranty Davis Sutures are guaranteed sterile," was false and misleading since the article was not sterile.

On October 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

868. Adulteration and misbranding of sutures. U. S. v. 1,092 Sutures. Default decree of condemnation and destruction. (F. D. C. No. 7398. Sample No. 84939-E.)

Examination of this product showed it to be contaminated with viable spore-bearing bacteria.

On April 27, 1942, the United States attorney for the Eastern District of New York filed a libel against 1,092 sutures at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about March 23, 1942, by W. J. Prendergast Co. from Chicago, Ill.; and charging that it was adulterated and misbranded. The article was labeled in part "Davis Sutures Surgical Gut U. S. P. * * * Davis Sutures Inc. Chicago."

The article was alleged to be adulterated in that it purported to be and was represented as a drug, surgical gut, the name of which is recognized in the United States Pharmacopoeia, and its quality and purity fell below the standard set forth in that compendium since the article was not sterile.

It was alleged to be misbranded in that the two statements, (carton) "Surgical Gut U. S. P.," and (leaflet) "Davis Sutures are guaranteed sterile, and to remain sterile until tubes are opened," were false and misleading since the article did not