

**3296. Adulteration and misbranding of clinical thermometers. U. S. v. 22 Boxes \* \* \*. (F. D. C. No. 29834. Sample No. 80143-K.)**

**LABEL FILED:** October 18, 1950, District of New Hampshire.

**ALLEGED SHIPMENT:** On or about August 18 and September 8, 1950, by the Consolidated Thermometer Co., from Brooklyn, N. Y.

**PRODUCT:** 22 boxes each containing 1 dozen *clinical thermometers* at Manchester, N. H. Examination of 24 thermometers showed that 2 did not meet the standard of accuracy declared in the labeling; that 1 failed to meet the test for retreating index; and that 5 showed loss of pigment.

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess, namely, "Clinical Fever Thermometers" and "correct within plus or minus 2/10° F. at 98° and 102° F. and 3/10° F. at 106° F."

Misbranding, Section 502 (a), the following statement in the labeling of the article was false and misleading as applied to an article which would not give accurate readings: "This certifies that the thermometer bearing the above identification number has been examined and tested and is correct within plus or minus 2/10° F. at 98° and 102° F. and 3/10° F. at 106° F. or its equivalent in Centigrade scale."

**DISPOSITION:** November 27, 1950. Default decree of condemnation and destruction.

**DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS**

**DRUGS FOR HUMAN USE\***

**3297. Misbranding of Dr. Shokunbi's F-219 Asthma Aid, Dr. Shokunbi's Tree of Life F-218, Dr. Shokunbi's F-62 Herbal Hair Growing Aid, and Dr. Shokunbi's F-214 Nervine. U. S. v. Samuel P. Shokunbi (African Herb & Chemical Co.). Plea of not guilty. Tried to the court and jury; verdict of guilty. Defendant fined \$9,000, plus costs, and sentenced to 9 years in prison. (F. D. C. No. 28158. Sample Nos. 19324-K to 19327-K, incl., 27993-K, 52066-K, 53434-K, 61822-K, 62025-K.)**

**INFORMATION FILED:** August 8, 1950, Western District of Tennessee, against Samuel P. Shokunbi, trading as the African Herb & Chemical Co., Memphis, Tenn.

**ALLEGED SHIPMENT:** On or about February 23, March 3, 7, and 15, and October 18, 1949, from the State of Tennessee into the States of Ohio, Mississippi, Alabama, and Missouri.

**LABEL, IN PART:** "Dr. Shokunbi's F-219 Asthma Aid \* \* \* This tonic contains the following herbs: Hore Hound, Mullen Leaves, Peppermint Leaves, Wild Plum Bark, Wild Cherry Bark, Lemon, Peach Leaves, Colts Foot, Boneset, Pure Honey, Catnip, Skull Cap, Vavain, Corriander Seed."

"Dr. Shokunbi's Tree of Life F-218 General Tonic for Men and Women \* \* \* Yellow Dock, Burdock Root, Poke Root, Buchu Leaves, Peppermint Leaves, May Apple, Juniper Berries, Black Snake Root, Samson Root, Wild Plum Bark, Wild Cherry Bark, Skull Cap, Fever Few, Lady Slipper, Senna, Figs."

"Dr. Shokunbi's F-62 Herbal Hair Growing Aid \* \* \* Ingredients: Sage Leaves Extract, Jaborandie Extract, Yellow Dock Root Oil, Hair Cap Moss, Olive Oil, Fresh Eggs, Salicylic Acid-Preservative."

\*See also Nos. 3288-3291, 3295, 3296.