

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM
OFFICIAL OR OWN STANDARDS***

3330. Adulteration of Special C. T. tablets. U. S. v. 2 Bottles, etc. (F. D. C. No. 30314. Sample No. 77391-K.)

LIBEL FILED: November 29, 1950, Southern District of Illinois.

ALLEGED SHIPMENT: On or about June 30, 1950, from St. Louis, Mo.

PRODUCT: *Special C. T. tablets.* 2 5,000-tablet bottles, 1 4,000-tablet bottle, 1 500-tablet bottle, and 1 250-tablet bottle, at Decatur, Ill. Examination showed that each tablet contained approximately 1/3000 grain of nitroglycerin.

LABEL, IN PART: "Special C. T. Tablets * * * Each C. T. contains: * * * Nitroglycerine - - - 1/200 gr."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess since the tablets contained materially less nitroglycerin than declared on the label. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 26, 1950. Default decree of condemnation and destruction.

3331. Adulteration and misbranding of Quik-Bands. U. S. v. 10 Cases * * *. (F. D. C. No. 29495. Sample No. 47556-K.)

LIBEL FILED: July 11, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 15, 1950, by the Seamless Rubber Co., from New Haven, Conn.

PRODUCT: 10 cases, each containing 720 tins, of *Quik-Bands* at Pittsburgh, Pa.

LABEL, IN PART: (Tin) "Rexall Firstaid Quik-Bands Adhesive Bandages With Mercurochrome * * * 36 Quik-Bands Assorted * * * Sterilized."

NATURE OF CHARGE: Adulteration, Section 501 (b), the product purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," 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 the Pharmacopoeia since the gauze was not sterile.

Misbranding, Section 502 (a), the label statements (on individual bandage) "Sterile" and (on carton and tins) "Firstaid" and "Sterilized" were false and misleading.

DISPOSITION: September 7, 1950. The Seamless Rubber Co., 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 reesterilized, under the supervision of the Food and Drug Administration.

3332. Adulteration and misbranding of prophylactics. U. S. v. 160 Gross * * *. (F. D. C. No. 30321. Sample No. 81628-K.)

LIBEL FILED: December 1, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 29, 1950, by the Killashun Sales Division, from Akron, Ohio.

PRODUCT: 160 gross of *prophylactics* at Philadelphia, Pa. Examination of samples showed that 2.85 percent were defective in that they contained holes.

LABEL, IN PART: "Silver Tex."

*See also No. 3340.

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the following label statements were false and misleading as applied to the article, which contained holes: (Display carton) "Prophylactics * * * Electronically Tested * * * For Your Protection," (3-unit package) "Prophylactics * * * Electronically Tested * * * For Your Protection," (unit package) "Prophylactic," and (on article) "For Prevention Of Disease."

DISPOSITION: January 11, 1951. Default decree of condemnation and destruction.

3333. Adulteration and misbranding of clinical thermometers. U. S. v. 26 Dozen * * *. (F. D. C. No. 30146. Sample No. 58941-K.)

LIBEL FILED: November 24, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 3, 1950, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 26 dozen *clinical thermometers* at Chicago, Ill. Examination of 24 thermometers in accordance with specifications in C. S. 1-32 showed that 2 failed to meet the test for retreating index, 1 failed to meet the hard shaker test and entrapped gas test, and 10 had engraved markings wider than the intervening spaces.

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statement "All Our Thermometers Are Manufactured In Accord With Their Specifications. (C. S. 1-32 Department of Commerce)" was false and misleading as applied to an article which failed to comply with the specifications stated.

DISPOSITION: January 9, 1951. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3334. Misbranding of Guardian Se-Bex tablets. U. S. v. Vitamin Stores, Inc. Plea of nolo contendere. Fine of \$125, plus costs. (F. D. C. No. 28157. Sample No. 20069-K.)

INFORMATION FILED: May 15, 1950, District of Nebraska, against Vitamin Stores, Inc., Omaha, Nebr.

INTERSTATE SHIPMENT: On or about August 26, 1948, from the State of Illinois into the State of Nebraska.

ALLEGED VIOLATION: Between June 29 and July 13, 1949, while the *Guardian Se-Bex tablets* were being held for sale after shipment in interstate commerce, the defendant caused a placard to accompany the tablets, which act resulted in the tablets being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the placard were false and misleading since they represented and suggested that the tablets would be effective in the cure, mitigation, and treatment of hay fever, whereas the tablets would not be effective for such purposes.

*See also Nos. 3321, 3329, 3331-3333.