

DISPOSITION: September 9, 1952. Default decree of condemnation and destruction.

3834. Adulteration and misbranding of adhesive bandages. U. S. v. 60
Gross * * *. (F. D. C. No. 32569. Sample No. 26078-L.)

LABEL FILED: February 29, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 15, 1952, by Supreme First Aid Co., Inc., from New York, N. Y.

PRODUCT: 60 gross of *adhesive bandages* at Philadelphia, Pa.

LABEL, IN PART: "Supreme Sterilized Handy Adhesive Bands."

NATURE OF CHARGE: Adulteration, Section 501 (b), the quality of the product fell below the standard set forth in the United States Pharmacopeia since it was not sterile.

Misbranding, Section 502 (a), the label statement "Sterilized" was false and misleading since the product was contaminated with living micro-organisms.

DISPOSITION: August 20, 1952. Default decree of condemnation and destruction.

3835. Adulteration and misbranding of adhesive bandages. U. S. v. 3 Cartons,
etc. (F. D. C. No. 33053. Sample No. 12613-L.)

LABEL FILED: April 7, 1952, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about February 21, 1952, by Supreme First Aid Co., Inc., from New York, N. Y.

PRODUCT: 3 cartons, each containing 10 gross, and 1 carton, containing 2 gross, of *adhesive bandages* at Nashville, Tenn. Examination showed that the product was not sterile but was contaminated with viable micro-organisms.

LABEL, IN PART: "Supreme Handy Adhesive Bands Sterilized."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Adhesive Absorbent Bandage," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its quality and purity fell below the official standard since it was not sterile.

Misbranding, Section 502 (a), the label statement "Sterilized" was false and misleading as applied to the article, which was not sterile.

DISPOSITION: September 2, 1952. Default decree of destruction.

3836. Adulteration and misbranding of clinical thermometers. U. S. v. 118
Dozen * * *. (F. D. C. No. 32398. Sample No. 19297-L.)

LABEL FILED: January 2, 1952, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 24, 1951, by Ideal Thermometer Co., Inc., from Brooklyn, N. Y.

PRODUCT: 118 dozen *clinical thermometers* at Iowa City, Iowa. Examination of 24 thermometers showed that 2 failed to meet the test for accuracy; that 3 failed to meet the test for hard shakers; that 5 failed to meet the entrapped gas test; that 5 had marks wider than the intervening spaces; and that 11 had the arrow pointing to 98.8° or 99.0°.

LABEL, IN PART: "Colorfast Brand Clinical Thermometers."

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 statements appearing in a circular contained in a package of 2 dozen thermometers were false and misleading since the article did not conform to the specifications set forth in CS1-42 Bureau of Standards' Commercial Standard: "This certificate guarantees you that the manufacturer hereby certifies that the enclosed registering clinical thermometer will meet all the requirements and tests as specified in Clinical Thermometer Commercial Standard No. CS-1-42."

DISPOSITION: March 18, 1952. Ideal Thermometer Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the article be released under bond, conditioned that it be salvaged by segregation of the good thermometers from the defective. Approximately 944 thermometers were found defective and were destroyed.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE *

3837. Misbranding of Alpha Formula and Tone physiological salt tablets. U. S. v. Frank J. Unger (Van Raye Laboratories). Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 32724. Sample Nos. 11549-L, 11550-L.)

INFORMATION FILED: October 10, 1952, Northern District of Ohio, against Frank J. Unger, trading as the Van Raye Laboratories, Cleveland, Ohio.

ALLEGED SHIPMENT: On or about October 2, 1951, from the State of Ohio into the State of Tennessee.

PRODUCT: Analysis disclosed that the *Alpha Formula* was a black, aromatic aqueous liquid containing chiefly epsom salt, sulfur, and plant extractives, including emodin bearing drugs and a trace of alcohol, and that the *Tone physiological salt tablets* contained chiefly sodium chloride and small amounts of the chlorides of potassium, calcium, and magnesium, with reducing sugar and a small amount of phosphate.

NATURE OF CHARGE: *Alpha Formula.* Misbranding, Section 502 (a), certain statements in a circular entitled "The Alpha and Tone Course," which accompanied the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for ailments associated with toxemia, alimentary or otherwise, which show symptoms of incidental, habitual, or secondary constipation, and blood salt deficiencies; that it was an adequate and effective treatment for anemia, arthritis, sciatica, neuritis, headache, nervousness, and high blood pressure; and that it was an adequate and effective treatment for stomach, liver, kidney, intestine, skin, and blood troubles, and many other ailments. The article was not an adequate and effective treatment for the purposes and conditions represented.

Tone physiological salt tablets. Misbranding, Section 502 (a), certain statements in the circular entitled "The Alpha and Tone Course," which accompanied the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment in reducing blood salt deficiencies due to colds and fevers; that it was an adequate and effective treatment for sinus, perverted or ravenous appetite, overweight, impairment of sense of taste, Addison's and other adrenal cortex deficiencies, lobar pneumonia, pernicious vomiting, severe burns, diabetic acidosis, and other

*See also Nos. 3829-3836.