

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Sodium Chloride," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from, and its purity and quality fell below, the official standard. The standard requires that dried sodium chloride contains not less than 99.5 percent NaCl and that not more than a trace of calcium compounds is present. The article, after drying, contained less than 99.5 percent NaCl, namely, 98.8 percent and the remainder of the product consisted largely of calcium phosphate.

Misbranding, Section 502 (a), the label statement "Sodium Chloride U. S. P." was false and misleading as applied to a product which failed to conform to the requirements of the United States Pharmacopeia.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

4114. Adulteration and misbranding of Succidol capsules. U. S. v. 2 Bottles * * *. (F. D. C. No. 34782. Sample No. 41274-L.)

LABEL FILED: March 27, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about December 11, 1952, by the Calvital Co., Inc., from Mount Vernon, N. Y., to Los Angeles, Calif., and from there to Orting, Wash., by the J. K. Hornbein Co.

PRODUCT: 2 bottles of *Succidol capsules* at Orting, Wash.

LABEL, IN PART: (Bottle) "1000 Succidol Capsules Each Capsule Contains: * * * Para-Aminobenzoic Acid As The Sodium Salt 3 Gr."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 3 grains of para-aminobenzoic acid as the sodium salt, per capsule.

Misbranding, Section 502 (a), the label statement "Each Capsule Contains: * * * Para-Aminobenzoic Acid As The Sodium Salt 3 Gr." was false and misleading as applied to the article, which contained less than 3 grains of para-aminobenzoic acid as the sodium salt, per capsule.

DISPOSITION: June 2, 1953. Default decree of condemnation and destruction.

4115. Adulteration of clinical thermometers. U. S. v. 221 Thermometers * * *. (F. D. C. No. 34677. Sample No. 20135-L.)

LABEL FILED: February 20, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about December 29, 1952, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 221 *clinical thermometers* at Minneapolis, Minn. The thermometers were packed in 6-unit packages. Examination of 24 thermometers revealed that 3 failed to comply with the requirement for accuracy of reading specified in CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in CS1-52.

LABEL, IN PART: (Engraved on thermometer) "1234 [or other numbers] * * * Rectal"; (inserts in 6-unit package) "Certificate of Accuracy For Clinical Thermometer No. * * * Date of Test Dec. 1952 This Certifies that the enclosed thermometer bearing the above identification number has been tested on the above date and is correct. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards,

Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-52 Department of Commerce)."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess since it failed to comply with the requirement for accuracy of reading specified in CS1-52.

DISPOSITION: June 19, 1953. Default decree of destruction.

4116. Adulteration and misbranding of clinical thermometers. U. S. v. 67 Dozen * * * (and 1 other seizure action). (F. D. C. Nos. 34889, 34890. Sample Nos. 39762-L, 73131-L.)

LIBELS FILED: March 13 and 20, 1953, Eastern District of Pennsylvania and Southern District of California.

ALLEGED SHIPMENT: On or about November 21, 1952, and January 9 and 16, 1953, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 67 dozen *rectal thermometers* at Philadelphia, Pa., and 6 dozen *oral thermometers* at Los Angeles, Calif.

Examination disclosed that 7 rectal thermometers of 24 tested and 4 oral thermometers of 23 tested failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52 applicable to such thermometers. 6 rectal thermometers failed to comply with the requirement for accuracy, and 1 rectal thermometer failed to comply with the entrapped gas test. The defects of the oral thermometers were as follows: 1 thermometer failed to comply with the standard for accuracy; 2 thermometers failed to comply with the test for retreating index; and 1 thermometer failed to comply with the test for ease of shaking down the mercury column (hard shaker).

LABEL, IN PART: "One Fever Thermometer Kind—Rectal" and "Hygrade Oral."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the articles fell below that which they purported and were represented to possess since they failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52.

Misbranding, Section 502 (b) (1), the articles failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: April 24 and May 5, 1953. Default decrees of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4117. Misbranding of okra tablets. U. S. v. 24 Bottles, etc. (F. D. C. No. 34875. Sample No. 57534-L.)

LIBEL FILED: March 3, 1953, District of Columbia.

ALLEGED SHIPMENT: On or about February 13, 1953, by the Daland Vitamin Co., from Wilmington, Del.

PRODUCT: 24 25-tablet bottles and 11 100-tablet bottles of *okra tablets* at Washington, D. C.

*See also Nos. 4112-4114.