ALLEGED SHIPMENT: On or about December 30, 1950, and March 2, 1951, by the Midwest Chemical Development Corp., from Cleveland, Ohio.

PRODUCT: *Hemotene tablets.* 148 bottles, each containing 270 tablets, and 443 bottles, each containing 90 tablets, at Los Angeles, Calif. Analysis showed that the article contained substantially less than the stated amount of vitamins C and D.

LABEL, IN PART: (Bottle) "Hemotene With Organic Iron and B–12."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 120 milligrams of vitamin C and 2,000 U. S. P. units of vitamin D.

Misbranding, Section 502 (a), the label statements "Six Hemotene Tablets provide: * * * Vitamin C 120 milligrams Vitamin D 2000 U. S. P. Units * * * Six tablets supply * * * M. D. R. * * * 4 times that of Vitamin C and 5 times that of Vitamin D" were false and misleading as applied to an article containing less than the stated amounts of vitamins C and D. Further misbranding, Section 502 (a), the label designation "Hemotene With Organic Iron and B–12" was false and misleading. The label designation represented and suggested that the article, because of its vitamin B_{12} content, was effective in the treatment of nutritional anemia due to iron deficiency, whereas the article, because of its vitamin B_{12} content, was not effective in the treatment of such condition.

DISPOSITION: July 27, 1951. Default decree of condemnation and destruction.

3516. Adulteration of grindelia. U. S. v. 6,666 Pounds * * *. (F. D. C. No. 30944. Sample No. 24012–L.)

LIBEL FILED: May 8, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about January 2, 1951, by J. G. Olvey & Associates, from Colusa, Calif.

PRODUCT: 6,666 pounds of *grindelia* in 31 unlabeled bales at New York, N. Y. Examination of 6 samples showed that the article contained 25%, 25%, 50%, 12.5%, 12.5%, and 33.3% of stems over 2 mm. in diameter, respectively, in the 6 samples.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Grindelia," a drug the name of which is recognized in the National Formulary, an official compendium, and its quality fell below the official standard since the article contained more than 10 percent of its stems over 2 mm. in diameter, the maximum permitted by the standard.

DISPOSITION: June 21, 1951. The Meer Corp., New York., N. Y., 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 for relabeling, under the supervision of the Federal Security Agency, so that each bale would show its respective stem content, together with the stem content permitted by the National Formulary.

3517. Adulteration and misbranding of prophylactics. U. S. v. 21 Gross * * *. (F. D. C. No. 31419. Sample Nos. 16956–L, 16962–L.)

LIBEL FILED: July 2, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about February 7, April 21, and May 12, 1951, by the Ivers Lee Co., from Newark, N. J.

PRODUCT: 21 gross of *prophylactics* at Los Angeles, Calif. Examination of samples showed that 2.8 percent were defective in that they contained holes.

LABEL, IN PART: "Three Roger (O. K.)."

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 label designation "Prophylactic" was false and misleading as applied to an article containing holes.

DISPOSITION: July 24, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS *

3518. Misbranding of Sleepene tablets. U. S. v. 32 Bottles * * *. (F. D. C. No. 31213. Sample No. 23532–L.)

LIBEL FILED: June 22, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about February 1, 1951, by the Sleepene Co., Inc., from New York, N. Y.

PRODUCT: 32 125-tablet bottles of *Sleepene* at Hackensack, N. J.

LABEL, IN PART: "Tablets Sleepene * * * Active Ingredients Aluminum Hydroxide, Acetylsalicylic Acid (Aspirin), Magnesium Trisilicate."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Sleepene Helps You Sleep if insomnia is due to simple irritability, nervousness or tension" was false and misleading since the article would not help one sleep.

DISPOSITION: August 14, 1951. Default decree of condemnation and destruction.

3519. Misbranding of Dr. Pierre's Boro-Pheno-Form suppositories. U. S. v. 24 Boxes, etc. (F. D. C. No. 29978. Sample No. 84801–K.)

LIBEL FILED: November 3, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 29, 1950, by the Dr. Pierre Chemical Co., from Chicago, Ill.

PRODUCT: 24 boxes, each containing 12 packages, of *Dr. Pierre's Boro-Pheno-Form suppositories* at Dayton, Ohio, together with a number of accompanying leaflets entitled "Feminine Hygiene The Boro-Pheno-Form Way."

Analysis showed that the product contained approximately 14.5 percent boric acid and 3.5 percent quinine sulfate, together with salicylic acid, zinc phenolsulfonate, menthenamine, red cinchona bark, zinc sulfate, cocoa butter, and paraffin.

LABEL, IN PART: (Package) "Dr. Pierre's Boro-Pheno-Form 12 Suppositories."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing on the package label and in the leaflets were false and misleading since the statements represented and suggested that the article was effective for promoting personal cleanliness and feminine hygiene, whereas the article was not effective for such purposes.

DISPOSITION: August 3, 1951. Default decree of destruction.

3520. Misbranding of Buno Medicine. U. S. v. 80 Bottles * * *. (F. D. C. No. 31030. Sample No. 2890–L.)

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*See also Nos. 3503, 3505, 3508, 3510–3515, 3517.