

insure persons past 35 against fear of the feeling of advancing age; and to help build new, red blood, which were the conditions and purposes for which the article was offered in the September 21, 1952, issue of a local newspaper. The article was misbranded in this respect when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: January 23, 1953. Default decree of condemnation. The court ordered that the product be delivered to the hospital ward of a Federal institution, for use in the treatment of patients requiring the prescribing of vitamin preparations.

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

4049. Adulteration and misbranding of conjugated estrogen tablets. U. S. v. 3 Bottles, etc. (F. D. C. No. 33586. Sample Nos. 41220-L, 41221-L.)

LIBEL FILED: September 12, 1952, Western District of Washington.

ALLEGED SHIPMENT: On various dates from outside the State of Washington.

PRODUCT: 3 500-tablet bottles of *No. 105 conjugated estrogen tablets* and 5 500-tablet bottles and 2 1,000-tablet bottles of *No. 106 conjugated estrogen tablets* at Seattle, Wash.

Analysis showed that the *No. 105 conjugated estrogen tablets* and the *No. 106 conjugated estrogen tablets* contained 0.94 milligram and 0.475 milligram, respectively, per tablet of conjugated estrogens expressed as sodium estrone sulfate.

LABEL, IN PART: (Bottle) "No. 105 1.25 mg. [or "No. 106 0.625 mg."] Estrogenic Substances (Water-Soluble) Conjugated Estrogens (Equine) Each tablet contains 1.25 mg. [or "0.625 mg."] of estrogens in their naturally occurring, water-soluble conjugated form, expressed as sodium estrone sulfate. Distributed by Palmer & Co. Seattle, Wash."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the *No. 105 conjugated estrogen tablets* and the *No. 106 conjugated estrogen tablets* differed from that which they purported and were represented to possess.

Misbranding, Section 502 (a), the label statements "Each tablet contains 1.25 mg. of estrogens in * * * conjugated form, expressed as sodium estrone sulfate" and "Each tablet contains 0.625 mg. of estrogens in * * * conjugated form, expressed as sodium estrone sulfate," respectively, were false and misleading as applied to the tablets, which contained less than the declared amounts of estrogens in conjugated form.

DISPOSITION: April 3, 1953. Default decree of condemnation and destruction.

4050. Adulteration and misbranding of vitamin B complex capsules. U. S. v. 700 Capsules, etc. (F. D. C. No. 34539. Sample No. 56845-L.)

LIBEL FILED: January 7, 1953, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 29, 1952, by Fellows Medical Mfg. Co., Inc., from New York, N. Y.

PRODUCT: *Vitamin B complex capsules*. 700 capsules and 32 bottles, each bottle containing 50 capsules, at Cleveland, Ohio. Analysis showed that the product contained approximately 76 percent of the declared amount of vitamin B₁.

LABEL, IN PART: "Fellows * * * Vitamin B-Complex Capsules Each Capsule Contains * * * Thiamine Hydrochloride (10 M. D. R.) 10 Mg. * * * Therapeutic."

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

Misbranding, Section 502 (a), the label statement "Each Capsule Contains * * * Thiamine Hydrochloride (10 M. D. R.) 10 Mg." was false and misleading since the product contained less than the labeled amount of thiamine hydrochloride (vitamin B₁) per capsule.

DISPOSITION: March 5, 1953. Default decree of condemnation and destruction.

4051. Adulteration and misbranding of isopropyl alcohol rubbing compound.

U. S. v. 38 Cases * * *. (F. D. C. No. 34665. Sample No. 38914-L.)

LIBEL FILED: On or about February 19, 1953, Western District of Virginia.

ALLEGED SHIPMENT: On or about October 28, 1952, by the Best Sales Co., from Middlesboro, Ky.

PRODUCT: 38 cases, each containing 12 1-pint bottles, of *isopropyl alcohol rubbing compound* at Pennington Gap, Va.

LABEL, IN PART: (Bottle) "Best Rubbing Alcohol 70% Isopropyl Compound By Volume * * * Best Sales Co. Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Isopropyl Alcohol Rubbing Compound," a drug, the name of which is recognized in the National Formulary, and its strength differed from the official standard. The standard provides that an isopropyl alcohol rubbing compound contains not less than 68 percent of isopropyl alcohol, whereas the article contained less than 68 percent of isopropyl alcohol. (Examination showed that the article contained from 13.8 percent to 49.8 percent of isopropyl alcohol by volume.)

Misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear an accurate statement of the proportion of alcohol contained therein.

DISPOSITION: April 14, 1953. Default decree of condemnation and destruction.

4052. Adulteration and misbranding of clinical thermometers. U. S. v. 5 Dozen * * *. (F. D. C. No. 34450. Sample No. 55258-L.)

LIBEL FILED: December 19, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 23, 1952, by Guardian Thermometer Co., Inc., from New York, N. Y.

PRODUCT: 5 dozen *clinical thermometers* at Erie, Pa.

LABEL, IN PART: "Clinical Fever Thermometers Rectal" and "Globe Fever Thermometer Rectal."

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 statement appearing in the labeling was false and misleading as applied to the article, which failed to meet the tests laid down in Commercial Standard CS1-32 Department of Commerce for pigment retention: (On 1 dozen container and individual carton) "This thermometer has been tested, found to comply with the requirements of the Department of Commerce Commercial Standard CS1-32." (Examination of 5 thermometers showed that all failed to meet the CS1-32 test for loss of pigment.)

DISPOSITION: January 23, 1953. Default decree of condemnation. The court ordered that the product be delivered to a local hospital.