

CHARGE: 501(c)—when shipped, the purity and quality of the article fell below that which it purported and was represented to possess, since it purported to be suitable for use in the eye and for cleaning contact lenses and rendering them free from microbial contamination; whereas it was not suitable for such uses and purposes since it was contaminated with large numbers of viable micro-organisms.

DISPOSITION: 8-5-59. Default—destruction.

5879. Rectal thermometers. (F.D.C. No. 42539. S. No. 32-231 P.)

QUANTITY: 264 rectal thermometers in envelopes at Englewood, N.J.

SHIPPED: 10-7-58, from Brooklyn, N.Y., by Adelphi Surgical Co., Inc.

LABEL IN PART: (Envelope) "Certificate of Examination Fever Thermometer * * * issued by the United States Dept. of Commerce Comet Thermometer Co., Brooklyn, N.Y. [or Cardinal Thermometer Co., Brooklyn, N.Y.]" and (engraved on thermometer) "Adelco Rectal."

RESULTS OF INVESTIGATION: Examination of 24 thermometers showed that 13 failed to meet the requirement for accuracy specified in CS1-52, issued by the National Bureau of Standards, when tested as described in CS1-52.

LIBELED: 12-5-58, Dist. N.J.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it purported and was represented to possess since it did not give accurate readings; and 502(a)—the label statement "tested and found to meet all the requirements and tests specified in the Commercial Standard CS1-52" was false and misleading.

DISPOSITION: 1-12-59. Default—destruction.

5880. Rubber prophylactics. (F.D.C. No. 42695. S. No. 45-221 P.)

QUANTITY: 93 12-box ctns., each box containing 12 prophylactics, at Salt Lake City, Utah.

SHIPPED: 10-13-58, from North Kansas City, Mo., by Dean Rubber Mfg. Co.

LABEL IN PART: (Ctn.) "Peacocks The Original Reservoir Ends * * * Redi-Wet Rubbers in Foil * * * Dean Rubber Mfg. Co. North Kansas City, Mo.," (box) "Peacocks Redi-Wet Rubbers in Foil."

RESULTS OF INVESTIGATION: Examination of 288 prophylactics showed that 1.4 percent were defective since they contained holes.

LIBELED: 2-17-59, Dist. Utah.

CHARGE: 501(c)—the quality of the article, when shipped, fell below that which it purported to possess.

DISPOSITION: 4-24-59. Default—condemnation.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

5881. Arman's ear drops. (F.D.C. No. 42380. S. No. 27-319 P.)

QUANTITY: 40 btls. at Des Moines, Iowa.

SHIPPED: Between 8-29-58 and 10-14-58, from Omaha, Nebr., by Arman Drug Co., Inc.

*See also Nos. 5864, 5869-5872, 5875-5877, 5879.