3632. Adulteration of distilled water. U. S. v. 100 Vials * * *. (F. D. C. No. 31772. Sample No. 25740–L.)

LIBEL FILED: October 9, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about June 20, 1951, by the Harvey Laboratories, from Philadelphia, Pa.

PRODUCT: 100 vials of *distilled water* at Trenton, N. J.

LABEL, IN PART: "100 cc. Ampul-Vial Distilled Water Harvey (Triple Distilled) Sterilized."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Water for Injection," 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 failed to meet the test for pyrogens laid down in such standard.

DISPOSITION: November 21, 1951. Default decree of condemnation. The court ordered that the product be destroyed, with the exception of 8 vials which were to be turned over to the Federal Security Agency.

3633. Adulteration and misbranding of Nervease headache powders. U. S. v. 12 Cartons * * *. (F. D. C. No. 31393. Sample No. 5645–L.)

LIBEL FILED: August 3, 1951, District of New Hampshire.

ALLEGED SHIPMENT: On or about May 25, 1951, by the Nervease Co., from Boston, Mass.

PRODUCT: 12 cartons, each containing 12 packages, of *Nervease headache powders* at Manchester, N. H. Examination showed that the product contained not more than 2.19 grains of acetanilid per powder.

LABEL, IN PART: (Package) "Nervease Headache Powders Active Ingredients: Acetanilid 2½ Grains Each Powder with Caffeine and Camphor * * * Contents 8 Powders."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 2½ grains of acetanilid per powder.

Misbranding, Section 502 (a), the designation "Nervease" appearing on the package label was false and misleading since such designation represented and suggested that the article was an adequate and effective treatment for nervous tension, whereas the article was not an adequate and effective treatment for such condition; and the label statement "Acetanilid 2½ Grains Each Powder" was false and misleading as applied to a product which contained less than the stated amount of acetanilid.

DISPOSITION: October 16, 1951. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

3634. Misbranding of Diaplex. U. S. v. 23 Cartons * * *. (F. D. C. No. 31705. Sample No. 13633–L.)

LIBEL FILED: September 17, 1951, District of Idaho.

*See also Nos. 3621, 3624–3626, 3629, 3631, 3633.