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 B_1) 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 requirments 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.