

Further misbranding, Section 502 (d), the repackaged *Seconal Sodium capsules* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the label of the repackaged capsules failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

DISPOSITION: April 17, 1953. Pleas of nolo contendere having been entered by the defendants, the court fined each defendant \$150. In addition, the court placed each individual defendant on probation for 2 years.

4112. Misbranding of Blue Ridge dry mineral water. U. S. v. 44 Cartons * * * (F. D. C. No. 34909. Sample No. 64840-L.)

LIBEL FILED: March 23, 1953, Northern District of Iowa.

ALLEGED SHIPMENT: On or about July 30, 1952, by the Blue Ridge Minerals Co., from Chicago, Ill.

PRODUCT: 44 cartons of *Blue Ridge dry mineral water* at Waterloo, Iowa. Examination showed that the product was a mixture of epsom salt, table salt (sodium chloride), sodium bicarbonate, and calcium carbonate.

LABEL, IN PART: (Carton) "Blue Ridge Dry Mineral Water A Combination of Natural Minerals To Add To Your Drinking Water Analysis Of Contents Magnesium Sulphate, Calcium Carbonate, Sodium Bi-carbonate, Sodium Chloride. Net Weight One-Half Pound."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Dry Mineral Water * * * A Combination of Natural Minerals * * * How To Make Your Own Mineral Water * * * Drink Blue Ridge Mineral Water" were false and misleading since the article was not a dry mineral water or a combination of natural minerals and would not make a mineral water when used as directed.

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended, namely, in the treatment of arthritis, kidney, liver, and stomach disorders, and high blood pressure, which were the conditions for which the article was recommended in advertising sponsored by the distributor, the Blue Ridge Minerals Co.

DISPOSITION: April 23, 1953. Default decree of condemnation and destruction.

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

4113. Adulteration and misbranding of sodium chloride. U. S. v. 11 Sacks, etc. (F. D. C. No. 34660. Sample No. 54968-L.)

LIBEL FILED: February 16, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 15, 1952, from Port Huron, Mich.

PRODUCT: 11 50-pound sacks and 1 40-pound sack of *sodium chloride* at Chicago, Ill.

RESULTS OF INVESTIGATION: The product was delivered to Arthur S. LaPine & Co., after arrival at Chicago, and was repackaged by that firm into 50-pound plastic sacks bearing the label described below.

LABEL, IN PART: (Sack) "50 Pounds Sodium Chloride U. S. P. Granular contents intended for laboratory or manufacturing use Distributed by Arthur S. LaPine Company * * * Chicago 29, Illinois."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Sodium Chloride," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from, and its purity and quality fell below, the official standard. The standard requires that dried sodium chloride contains not less than 99.5 percent NaCl and that not more than a trace of calcium compounds is present. The article, after drying, contained less than 99.5 percent NaCl, namely, 98.8 percent and the remainder of the product consisted largely of calcium phosphate.

Misbranding, Section 502 (a), the label statement "Sodium Chloride U. S. P." was false and misleading as applied to a product which failed to conform to the requirements of the United States Pharmacopeia.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

4114. Adulteration and misbranding of Succidol capsules. U. S. v. 2 Bottles * * *. (F. D. C. No. 34782. Sample No. 41274-L.)

LIBEL FILED: March 27, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about December 11, 1952, by the Calvital Co., Inc., from Mount Vernon, N. Y., to Los Angeles, Calif., and from there to Orting, Wash., by the J. K. Hornbein Co.

PRODUCT: 2 bottles of *Succidol capsules* at Orting, Wash.

LABEL, IN PART: (Bottle) "1000 Succidol Capsules Each Capsule Contains:
* * * Para-Aminobenzoic Acid As The Sodium Salt 3 Gr."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 3 grains of para-aminobenzoic acid as the sodium salt, per capsule.

Misbranding, Section 502 (a), the label statement "Each Capsule Contains:
* * * Para-Aminobenzoic Acid As The Sodium Salt 3 Gr." was false and misleading as applied to the article, which contained less than 3 grains of para-aminobenzoic acid as the sodium salt, per capsule.

DISPOSITION: June 2, 1953. Default decree of condemnation and destruction.

4115. Adulteration of clinical thermometers. U. S. v. 221 Thermometers * * *. (F. D. C. No. 34677. Sample No. 20135-L.)

LIBEL FILED: February 20, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about December 29, 1952, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 221 *clinical thermometers* at Minneapolis, Minn. The thermometers were packed in 6-unit packages. Examination of 24 thermometers revealed that 3 failed to comply with the requirement for accuracy of reading specified in CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in CS1-52.

LABEL, IN PART: (Engraved on thermometer) "1234 [or other numbers] * * * Rectal"; (inserts in 6-unit package) "Certificate of Accuracy For Clinical Thermometer No. * * * Date of Test Dec. 1952 This Certifies that the enclosed thermometer bearing the above identification number has been tested on the above date and is correct. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards,