

namely, 1/6 grain kermes mineral (antimony sulfide, golden) per tablet. Misbranding, Section 502 (a), the label statements (bulk container) "Each tablet contains: Kermes Mineral 1/6 gr. (Antimony Sulfide, Golden)" and (relabeled bottle) "Each tablet contains: Kermes Mineral 1/6 gr." were false and misleading as applied to a product which contained less than 1/6 grain of kermes mineral (antimony sulfide, golden) per tablet.

The articles were adulterated and misbranded in the above respects when introduced into, while in, and while held for sale after shipment in, interstate commerce.

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

4168. Adulteration and misbranding of clinical thermometers. U. S. v. 100 Thermometers * * *. (F. D. C. No. 35268. Sample No. 47630-L.)

LIBEL FILED: May 21, 1953, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about March 20, 1953, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 100 *clinical thermometers* at New Orleans, La. Examination of 24 thermometers showed that 3 would not give accurate readings.

LABEL, IN PART: (Etched on thermometer) "Cardinal Oral"; (insert in 6-unit package) "Certificate of Examination Clinical Thermometer."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported to possess.

Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading as applied to thermometers which failed to comply with the tests and specifications mentioned: (Insert) "* * * This certifies that the enclosed thermometers have been tested at 98°, 102° and 106° F. and are correct within plus or minus 2/10 F. at any of these test points. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards, Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-32 Department of Commerce.)" and "The enclosed thermometers are guaranteed to be of absolute accuracy."

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

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4169. Misbranding of Alfamint tablets, alfalfa tablets, alfalfa leaves, Alfa-Mint leaves, alfalfa seed tea, and alfalfa seed. U. S. v. 204 Bottles, etc. (F. D. C. No. 35279. Sample Nos. 20577-L to 20582-L, incl.)

LIBEL FILED: May 28, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about January 13 and February 23, 25, and 26, 1953, from Huntington Park and Imperial, Calif.

PRODUCT: 204 200-tablet bottles of *Alfamint tablets*, 6 200-tablet bottles of *alfalfa tablets*, 278 4-ounce packages of *alfalfa leaves*, 75 pounds of *alfalfa leaves* in a bulk container, 235 4-ounce packages of *Alfa-Mint leaves*, 225 8-ounce packages and 302 16-ounce packages of *alfalfa seed tea*, and 60 pounds of *alfalfa seed* in a bulk container, at Minneapolis, Minn., in the possession of

*See also Nos. 4166-4168.