LIBELED: 7–13–55, Dist. N. J.

CHARGE: (Btls. numbered 2676) 501 (c)—the strength of the article, while held for sale, differed from that which it purported and was represented to possess; (all btls.) 502 (a)—the label statement "Caution To be dispensed by or on the prescription of a physician" was false and misleading since the statement represented that the article was a prescription drug, whereas it was not such a drug but was safe and suitable for sale without a prescription, and its label should have contained adequate directions for use.

DISPOSITION: 9–13–55. Default—destruction.

4938. Dormelix-B. (F. D. C. No. 38482. S. No. 3–678 M.)

QUANTITY: 15 cartons, 12 1-pt. btls. each, at Boston, Mass.

SHIPPED: Sometime during 1950, from St. Louis, Mo.

RESULTS OF INVESTIGATION: Analysis showed that the article contained 53 percent of the declared amount of vitamin B_1.

LIBELED: 10–5–55, Dist. Mass.

CHARGE: 501 (c)—the strength of the article, while held for sale, differed from that which it purported and was represented to possess; and 502 (a)—the label statement "Each Fluid Ounce Contains: * * * Vitamin B_1 * * * . . . . 3.0 mg. (1000 U. S. P. Units)" was false and misleading.

DISPOSITION: 12–5–55. Default—destruction.

4939. Rauwolfia serpentina (powder and tablets). (F. D. C. No. 37373. S. No. 13–086 M.)

QUANTITY: 1 65-lb. drum of the powdered drug, 420,000 uncoated and 35,000 coated 50-milligram tablets, and 100,000 uncoated and 70,000 coated 100-milligram tablets at Allentown, Pa.

SHIPPED: On 6–25–54, S. B. Penick & Co. shipped from Jersey City, N. J., a bulk lot of the drug in powder form.

LABEL IN PART: (Bulk drum) "Powdered Rauwolfia Serpentina Root."

RESULTS OF INVESTIGATION: The tablets were prepared by the consignee from a portion of the bulk powder in the above-mentioned shipment. Examination showed that the article in powdered form and in tablet form contained the ground root of a species of *Rauwolfia* other than *Rauwolfia serpentina*.

LIBELED: 12–1–54, E. Dist. Pa.

CHARGE: 501 (d) (2)—the article (in bulk and in tablet form), when shipped in the form of powder, was represented as *Rauwolfia serpentina*, and a substance other than *Rauwolfia serpentina* had been substituted in whole or in part; 502 (a)—the designation "Rauwolfia Serpentina" borne on the drum label of the article, when shipped, was false and misleading since such designation represented and suggested that the article in the bulk drum consisted wholly of *Rauwolfia serpentina*, whereas such was not the case; and 502 (i) (3)—the article (in bulk and in tablet form), when shipped, was offered for sale under the name of another drug.

DISPOSITION: 8–3–55. S. B. Penick & Co. having appeared and later having withdrawn as claimant, judgment of condemnation was entered and the product was ordered destroyed.

4940. Rauwolfia serpentina. (F. D. C. No. 37503. S. No. 3–085 M.)

QUANTITY: 252 lbs. in 3 cases at Stamford, Conn.

SHIPPED: 8–17–54, from New York, N. Y., by Gane & Ingram.

LABEL IN PART: (Case) "R. S. Powder * * * Made in India."

RESULTS OF INVESTIGATION: Examination showed that the article contained a large amount of the ground root of a species of *Rauwolfia* other than *Rauwolfia serpentina*.

LIBELED: 12–9–54, Dist. Conn.

CHARGE: 501 (d) (2)—the article was a drug represented as *Rauwolfia serpentina*, and a substance other than *Rauwolfia serpentina* had been substituted in whole or in part when shipped; and 502 (i) (3)—the article was offered for sale under the name of another drug.

DISPOSITION: 4–10–56. Default—destruction.

4941. Nasal spray. (F. D. C. No. 38233. S. No. 29–323 M.)

QUANTITY: 288 20-cc. btls. at Newark, N. J.

SHIPPED: 6–15–55, from Brooklyn, N. Y., by Success Chemical Co., Inc.

LABEL IN PART: (Btl.) "R/W Tyro-Hist Nasal Spray Decongestant - Antihistamine Antibiotic * * * Contains In Aqueous Isotonic Solution: Tyrothricin . . . 0.02%."

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than 1 percent of the declared amount of tyrothricin.

LIBELED: 7–12–55, Dist. N. J.

CHARGE: 501 (c)—the strength of the article, when shipped, differed from that which it purported and was represented to possess; and 502 (a)—the label statement "Contains In Aqueous Isotonic Solution: Tyrothricin. . . . 0.02%" was false and misleading.

DISPOSITION: 1–10–56. Default—destruction.

4942. Antiseptic solution. (F. D. C. No. 38684. S. No. 18–846 M.)

QUANTITY: 25 cases, 36 4-oz. btls. each, at Mansfield, Ohio.

SHIPPED: Between 1935 and 1954, from points outside the State of Ohio.

LIBELED: 11–18–55, N. Dist. Ohio.

CHARGE: 501 (c)—the strength of the article, while held for sale, differed from that which it purported and was represented to possess (the article contained less than 25 percent alcohol as declared on its label); 502 (b) (2)—the label statement "Contents 4 fl. ounces" was inaccurate (the article was short weight); and 502 (e) (2)—the label failed to bear a statement of the quantity of alcohol contained in the article.

The libel alleged that certain articles of food were adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 12–15–55. Default—destruction.

4943. Clinical thermometers. (F. D. C. No. 38488. S. No. 17–250 M.)

QUANTITY: 252 *clinical thermometers* at Richmond, Va.

SHIPPED: 4–15–55, from Brooklyn, N. Y., by Cardinal Thermometer Co.

LABEL IN PART: (Box) "Cardinal Fever Thermometer Kind — Oral."

ACCOMPANYING LABELING: Leaflet entitled "Certificate of Accuracy For Clinical Thermometer."