5182. Clinical thermometers. (F. D. C. No. 39246. S. No. 49-267 M.)

QUANTITY: 186 *clinical thermometers* at Chicago, Ill.

SHIPPED: 3-17-56, from New York, N. Y., by Philbern Thermometer Co., Inc.

LABEL IN PART: (Ctn.) "One Fever Thermometer * * * Philbern Rectal."

ACCOMPANYING LABELING: Leaflet designated "Certificate of Examination Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination revealed that 3 out of 23 thermometers taken from this lot failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 5-21-56, N. Dist. Ill.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statement in the labeling accompanying the article, namely, "This clinical thermometer has been tested by a Standard Thermometer, approved by the Bureau of Standards, Washington, D. C., at the following degrees and found to stand at: 98° 100° 104° 106°," was false and misleading.

DISPOSITION: 6-20-56. Default—destruction.

5183. Clinical thermometers. (F. D. C. No. 39290. S. Nos. 31-078/9 M.)

QUANTITY: 552 *clinical thermometers* (408 oral and 144 rectal) at Lancaster, Ohio.

SHIPPED: From Brooklyn, N. Y., by Hygrade Thermometer Co. (The date of shipment is unknown.)

LABEL IN PART: (Ctn.) "Clinical Thermometers Type—Oral (or Rectal) Tri-Top."

ACCOMPANYING LABELING: Leaflet designated "Certificate for DEBS Clinical Thermometers."

RESULTS OF INVESTIGATION: Examination revealed that 5 out of 24 oral and 11 out of 24 rectal thermometers failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 6-29-56, S. Dist. Ohio.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statement in the labeling accompanying the article, namely, "This Certifies that these thermometers have been carefully compared with a standard thermometer, bearing certification mark of the U. S. Bureau of Standards * * * The manufacturers * * * guarantee that these thermometers have been tested and found to comply with the requirements of the Department of Commerce Commercial Standard CS1-52," was false and misleading.

DISPOSITION: 9-7-56. Default—destruction.

5184. Clinical thermometers. (F. D. C. No. 39245. S. Nos. 49-294/5 M.)

QUANTITY: 240 *clinical thermometers* (124 rectal and 116 oral) at Detroit, Mich.

SHIPPED: 4-17-56, from Brooklyn, N. Y., by Hygrade Thermometer Co.

LABEL IN PART: (Ctn.) "One Fever Thermometer * * * Kind Rectal (or Oral)."