

Leaves, Fennel, Senna Pods, Elder Flowers, Nettle Leaves, Licorice, Marsh-mallow Root" and "Hematone Herb Tea No. 4 * * * Sarsaparilla Root, Burdock Root, Peppermint, Anise, Licorice, Yarrow Herb, Senna, Safflowers, Fennel, Yellow Dock Root."

NATURE OF CHARGE: The products were misbranded when introduced into, and while in, interstate commerce as follows: Section 502 (e), the labels of the articles failed to bear the names of the active ingredients contained therein; and, Section 502 (f) (1), the labeling failed to bear adequate directions for use since it bore no directions for use.

The products were misbranded, Section 502 (a), while held for sale after shipment in interstate commerce. The following statements on the labels and on the accompanying order blanks were false and misleading: (Carton) "Rheumolek * * * A compound of medicinally proven herbs as an aid in relieving the pains of Rheumatism, Neuritis, Arthritis, Neuralgia, Sciatica and Lumbago, by promoting elimination of excess acids and wastes, when due to sluggish action of the kidneys. Diuretic Alterative Sedative * * * Assists the organs of elimination; removes waste and poisonous matter and reduces excess acidity" and (order blank in Slovak) "Rheumolek Are you worried about rheumatic pains in your arms, legs, or back? Do you have pains in your bones? Why suffer longer! The wonderful 'Rheumolek' Tea #3 can help you * * * relief * * * you will get from this * * * Tea"; (carton) "Hematone * * * blend of herbs especially recommended * * * for * * * Tonic and Alterative properties, when indicated in certain conditions of poor blood, sallow complexion and skin eruptions, resulting from excessive waste in the system due to faulty elimination. Aids in Purifying * * * Vitalizing and Enriching the Blood" and (order blank in Slovak) "Our 'Hematone Blood Tea #4' * * * for cleaning and enriching your blood, if you want pure healthy blood, to rid yourself of any unpleasantness of feeling, to have a beautiful skin, regain your normal strength and have a feeling of well being * * * you must have pure blood." The products would not be effective for the purposes stated and implied, and would not fulfill the promises of benefit made for them in the above statements.

DISPOSITION: January 11, 1951. The Tatra Co., Morrisville, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3348. Adulteration of orrisroot and chamomile flowers. U. S. v. 12 Bags, etc.
(F. D. C. No. 29840. Sample Nos. 73039-K, 73040-K.)

LIBEL FILED: October 20, 1950, Southern District of New York.

ALLEGED SHIPMENT: The *orrisroot* was imported from Italy prior to March 23, 1949, and the *chamomile flowers* were imported from Belgium on or about November 9, 1949.

PRODUCT: 12 bags, each containing 160 pounds, of *orrisroot*, and 12 bags, each containing 110 pounds of *chamomile flowers*, at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 16, 1950. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The segregation operations resulted in the destruction of 187 pounds of orrisroot and 372 pounds of chamomile flowers.

DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3349. Adulteration and misbranding of clinical thermometers. U. S. v. 25 Cartons * * *. (F. D. C. No. 30238. Sample No. 85788-K.)

LIBEL FILED: November 13, 1950, Southern District of Texas.

ALLEGED SHIPMENT: On or about October 4, 1950, by the Arvesen Thermometer Corp., from Brooklyn, N. Y.

PRODUCT: 25 cartons each containing 2 dozen *clinical thermometers* at Galveston, Tex. Examination of 23 thermometers showed that 2 failed to meet the requirement in the United States Department of Commerce Standard C. S. 1-42 for clinical thermometers for accuracy of readings, and that 13 additional thermometers failed to meet the test for entrapped gas, required by the above standard.

LABEL, IN PART: (Carton) "Fahrenheit Clinical Thermometers."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess, namely, "Clinical Thermometers."

Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading since the article did not comply with the United States Department of Commerce Standard C. S. 1-42 for clinical thermometers: "We, the undersigned Manufacturers, hereby certify that our registering clinical thermometer marked No. has been examined and tested and found to meet all the requirements and tests specified in the United States Department of Commerce, Commercial Standard C. S. 1-42 for Clinical Thermometers * * *."

DISPOSITION: December 20, 1950. Default decree of condemnation and destruction.

3350. Adulteration and misbranding of clinical thermometers. U. S. v. 4 Gross * * *. (F. D. C. No. 30239. Sample No. 81877-K.)

LIBEL FILED: November 10, 1950, Southern District of Florida.

ALLEGED SHIPMENT: On or about October 13, 1950, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 4 gross of *clinical thermometers* at Miami, Fla. Examination of 24 thermometers showed that 6 failed to give readings of the claimed accuracy; that 1 was a retreator; and that 1 failed to meet the hard shaker test. The normal temperature arrow on 1 thermometer pointed to the 99° mark.

LABEL, IN PART: "Cardinal Oral."

NATURE OF CHARGE: Adulteration, section 501 (c), the quality of the article fell below that which it purported and was represented to possess, namely, "Clinical Thermometer" and "correct within plus or minus 2/10 F." at 98°, 102°, and 106°.

*See also No. 3342.