

PRODUCT: 19 *diathermy devices* at Seattle, Wash. The device consisted of a cabinet containing radio tubes, transformer, resistors, and adjustable plate condensers. Connected to the device were two 8' x 10' *diathermy pads*, which transmit short electrical waves to the portion of the body to be treated.

LABEL, IN PART: "David Bogen Co., Inc., New York 12, New York Model No. 5-A * * * Short Wave Diathermy."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use in the treatment of sinus, colds, etc., elbow, wrist, leg, stiff neck, sprained ankle, hand, shoulder, knee, and upper back and lower back, which were the parts of the anatomy and abnormalities to affect and treat, for which the article was offered in its labeling, namely, in an accompanying leaflet headed "Illustrations of Pad, Mask, Cuff and Cable Placement for Typical Treatment Employing Bogen Portable Short Wave Diathermy Model 5-A."

DISPOSITION: November 18, 1950. George B. Quinn, Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for relabeling, under the supervision of the Federal Security Agency.

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

3312. Adulteration and misbranding of surgical dressing. U. S. v. Surgical Dressings, Inc. Plea of guilty. Fine, \$250. (F. D. C. No. 29427. Sample Nos. 30230-K, 30240-K, 33682-K to 33684-K, incl.)

INFORMATION FILED: October 3, 1950, District of Massachusetts, against Surgical Dressings, Inc., Boston, Mass.

ALLEGED SHIPMENT: Between the approximate dates of August 25 and November 12, 1949, from the State of Massachusetts into the State of California.

LABEL, IN PART: "Sterilastic Dressing Bandage."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article differed from that which it purported and was represented to possess since it purported to be, and was represented as, a sterile product, whereas it was not a sterile product but was contaminated with viable micro-organisms.

Misbranding, Section 502 (a), the statements in the labeling of the article which represented and suggested that the article was a sterile product were false and misleading.

DISPOSITION: December 12, 1950. A plea of guilty having been entered, the court imposed a fine of \$250.

3313. Adulteration and misbranding of clinical thermometers. U. S. v. 9 Gross * * *. (F. D. C. No. 29366. Sample No. 81854-K.)

LIBEL FILED: June 21, 1950, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 9, 1950, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 9 gross of *clinical thermometers* at Miami, Fla. Examination of 24 thermometers showed that 5 failed to comply with the Commercial Standard C. S. 1-32 since 2 failed to repeat readings and 3 did not give readings of the accuracy required by C. S. 1-32.

LABEL, IN PART: "Car-Nor" or "Cardinal."