

Misbranding, Section 502 (a), the label statement "Sterilized" was false and misleading as applied to the article, which was not sterile but was contaminated with living micro-organisms.

DISPOSITION: June 29, 1953. Default decree of condemnation and destruction.

4154. Adulteration and misbranding of clinical thermometers. U. S. v. 8 Dozen * * *. (F. D. C. No. 34920. Sample No. 56892-L.)

LABEL FILED: March 30, 1953, Northern District of Ohio.

ALLEGED SHIPMENT: On or about March 5, 1953, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 8 dozen *clinical thermometers* at Cleveland, Ohio. Examination of 24 thermometers showed that 1 was a hard shaker; that 1 failed to meet the test for retreating index; and that 2 failed to meet the test for accuracy.

LABEL, IN PART: "Cardinal Fever Thermometer Kind—Oral."

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

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 stated specifications: (On 1 dozen package) "These thermometers have been manufactured according to the rules and regulations, and have been compared with the standard thermometers, verified By The United States Bureau of Standards," (on unit package) "This thermometer has been made according to regulations and compared with standard thermometers verified By The U. S. Bureau of Standards," and (on leaflet enclosed in each unit package) "* * * thermometer * * * has been * * * tested and found to meet all the requirements and tests specified in the United States Department of Commerce, Commercial Standard CS1-42 for Clinical Thermometers. This Certificate is supported by a record of test of this thermometer * * *."

DISPOSITION: April 28, 1953. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4155. Misbranding of bonemeal and bonemeal tablets. U. S. v. Stanley W. Danvers (Nu-Age Products, Nu-Age Products Co., and Nu-Age Biorganic Products). Plea of guilty. Fine of \$750, plus costs. (F. D. C. No. 33735. Sample Nos. 29171-L, 30511-L, 34945-L.)

INFORMATION FILED: December 23, 1952, Western District of Pennsylvania, against Stanley W. Danvers, trading as Nu-Age Biorganic Products, Nu-Age Products, and Nu-Age Products Co., at Loupux, Pa.

ALLEGED SHIPMENT: On or about July 26, November 30, and December 1, 1951, from the State of Pennsylvania into the States of Oregon, Washington, and Wisconsin.

LABEL, IN PART: "Bone Meal with Vitamins A-C-D Each Tablet Contains: Bone Phosphate (A Purified Bone Meal)—7½ Grains Vitamin A 2,000 U. S. P. Units Vitamin C (Ascorbic Acid) 15.0 Milligrams Vitamin D (Irradiated Ergosterol) 150 U. S. P. Units Distributed By Nu-Age Products Company 1926 W. Railroad Street Loupux, Pa. Six Tablets Daily Contain The

*See also Nos. 4146, 4147, 4149-4154.