3133. Adulteration of Testramone. U. S. v. 87 Vials * * *. (F. D. C. No. 29085. Sample No. 73927–K.)

LIBEL FILED: April 27, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about March 21, 1950, by Harvey Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 87 10-cc. vials of *Testramone* at New York, N. Y.

LABEL, IN PART: "Testramone Intramuscular Injection of Vitamin B Complex."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since it was for parenteral administration and was contaminated with living micro-organisms, whereas a drug for parenteral administration is sterile.

DISPOSITION: June 30, 1950. Default decree of condemnation. The court ordered that the product be delivered to the Food and Drug Administration.

3134. Adulteration and misbranding of adhesive bandages. U. S. v. 1,978 Cartons, etc. (F. D. C. No. 28975. Sample Nos. 77209–K, 77210–K.)

LIBEL FILED: April 19, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about March 16, 1950, by the Seamless Rubber Co., New Haven, Conn.

PRODUCT: 4,856 cartons, each carton containing 12 tins, and each tin containing 36 *adhesive bandages*, at St. Louis, Mo.

LABEL, IN PART: (Tin) "Quik-Bands Assorted With Mercurochrome Sterilized [or "Assorted Sterilized Plain"] * * * Adhesive Bandages"; (individual bandage) "Sterile."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]", a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its quality and purity fell below the official standard since it was not sterile.

Misbranding, Section 502 (a), the label statements "Sterile" and "Sterilized" were false and misleading as applied to an article which was not sterile.

DISPOSITION: April 28, 1950. The Seamless Rubber Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The product was subsequently sterilized.

3135. Adulteration and misbranding of clinical thermometers. U. S. v. 22 Cartons * * *. (F. D. C. No. 29096. Sample No. 80968–K.)

LIBEL FILED: May 3, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 29, 1950, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 22 cartons, each carton containing 12 boxes, and each box containing 1 *clinical thermometer*, at Philadelphia, Pa.

Examination of 24 samples showed that 6 failed to meet the hard shaker test prescribed by C. S. 1–32, i. e., failed to shake down to 96° F. or lower, and that 2 had engraved markings wider than the intervening space. C. S. 1–32 provides that the width of the marking shall not be more than one-half the length of the graduation interval.