

viable micro-organisms: "The White Cross of Perfection is Your Protection. (Design of Nurse) * * * Emergency First Aid Kit. Be Prepared for Emergencies. This Handy Kit Contains Sterilized Surgical Dressings for Emergency First Aid."

On March 26, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

406. Misbranding of gauze bandage. U. S. v. 57 Cartons of Gauze Bandage. Default decree of condemnation and destruction. (F. D. C. No. 2419. Sample No. 26924-E.)

This product was contained in a carton which was 40 percent larger than was necessary; and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

On July 24, 1940, the United States attorney for the Western District of Washington filed a libel against 57 cartons of gauze bandage at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 12, 1940, by the American White Cross Laboratories, Inc., from New Rochelle, N. Y.; and charging that it was misbranded in that the package failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that the container was so made, formed, or filled as to be misleading.

On January 31, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

407. Adulteration and misbranding of gauze bandages. U. S. v. 56 Dozen and 208 Dozen Retail Packages of Non-Ravel Surgical Gauze Bandage. Default decree of condemnation and destruction. (F. D. C. No. 2820. Sample Nos. 19424-E, 19426-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination at which time it was found to be contaminated with viable micro-organisms.

On September 14, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 56 dozen packages each containing 10 yards of 1-inch gauze bandage, and 208 dozen packages each containing 10 yards of 2-inch gauze bandage at Erie, Pa., alleging that the articles had been shipped in interstate commerce on or about July 3, 1940, by the Handy Pad Supply Co. from Worcester, Mass.; and charging that they were adulterated and misbranded. The article was labeled in part: "Surgical Gauze Bandage * * * Erie Drug Company."

The bandages were alleged to be adulterated in that their purity or quality fell below that which they purported or were represented to possess, namely, "Sterilized," in that they were not sterile but were contaminated with viable micro-organisms. They were alleged to be misbranded in that the following statements appearing on the cartons were false and misleading as applied to articles which were not sterile but were contaminated with viable micro-organisms: "Surgical Gauze Bandage Sterilized After Packaging Prepared Especially For The Medical Profession * * * manufactured under most sanitary conditions, for surgical use. Sterilized."

On October 15, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

408. Adulteration and misbranding of gauze bandage. U. S. v. 20 Gross Packages of Gauze Bandage. Default decree of condemnation and destruction. (F. D. C. No. 2692. Sample No. 19028-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be contaminated with viable micro-organisms. The carton was about 60 percent larger than was necessary, and the product consisted of pieces of bandage sewed together and not of a continuous strip as is expected in such a product; the roll measured less than the declared length.

On August 29, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 20 gross packages of Meditex Gauze Bandage at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about June 24, 1940, by the Meditex Supply Co. from New York, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its purity and quality fell below that which it purported or was represented to possess, namely, "Gauze Bandage Sterilized After Packing," since it did not consist of continuous strips