

calf, poor lactation, and diseases of the reproductive organs in cattle; and that it would be efficacious in the treatment and prevention of nonfertility, 4th day embryonic death, leukemia, poorly developed pullets, poor reproductive development, slow maturity, weak chicks, poor egg yield, poor hatchability, and various diseases in poultry; and that it would be efficacious in the treatment and prevention of sterility, impotency, partial fertilization, fetus resorption, abortion, stillbirth, weak, puny runts, poor lactation, mortality during nursing, diseases of reproductive organs, and small unprofitable litters in hogs, were false and misleading since it would be of no value for such purposes.

On June 16, 1942, the shipper and consignee, claimants, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

NONSTERILE SURGICAL DRESSINGS

795. Adulteration and misbranding of adhesive strips and first aid kits. U. S. v. 286 $\frac{3}{4}$ Gross Packages of Sani+Cross Adhesive Strips and 4 $\frac{1}{2}$ Gross Top Emergency First Aid Kits. Default decrees of condemnation and destruction. (F. D. C. Nos. 7364, 7617. Sample Nos. 83892-E, 89872-E.)

The Sani+Cross Adhesive Strips and the absorbent cotton, gauze, and compress in the first aid kits were contaminated with living micro-organisms. The first aid kits were misbranded since the boxes containing the absorbent cotton, adhesive tape, and compress were much larger than necessary; and no statement of the quantity of contents appeared on any of the labels.

On April 23 and June 9, 1942, the United States attorneys for the Southern District of New York and the Eastern District of Louisiana filed libels against 286 $\frac{3}{4}$ gross packages of adhesive strips at New York, N. Y., and 4 $\frac{1}{2}$ gross first aid kits at New Orleans, La., alleging that the articles had been shipped in interstate commerce on or about January 27 and April 28, 1942, by Gero Products, Inc., from South Boston, Mass.; and charging that they were adulterated and misbranded.

The Sani+Cross Adhesive Strips were alleged to be adulterated in that their purity and quality fell below that which they purported and were represented to possess, i. e., they purported to be and were represented as being of such purity and quality that they were suitable for use on cuts and other wounds; whereas they were not suitable for such use since they were contaminated with living bacteria. They were alleged to be misbranded in that the following statements on the label, "Sani+Cross Adhesive Strips for Home, Factory, and Sport Use. Directions Wash wound with an antiseptic. Remove crinoline and apply gauze pad to the wound," were false and misleading since they represented and suggested that the article was a safe and appropriate bandage for first aid use on broken skin; whereas it was not safe and appropriate for such purposes.

The first aid kits were alleged to be adulterated in that they contained a package of an article which purported to be a drug recognized in the United States Pharmacopoeia, namely, absorbent cotton, but its quality or purity fell below the standard set forth in the pharmacopoeia since it was not sterile.

They were alleged to be misbranded (1) in that the statements, "First Aid Kit * * * For small cuts use 'Handi-Aid' or Adhesive Bandage * * * Be Prepared for Emergencies," were false and misleading when applied to kits containing items which were not sterile; (2) in that the labels failed to bear an accurate statement of the quantity of the contents; and (3) in that the containers were so made and filled as to be misleading.

On June 26 and July 3, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

796. Adulteration and misbranding of Blue Cross First Aid Kits. U. S. v. 83 $\frac{3}{4}$ Dozen Blue Cross First Aid Kits. Consent decree of condemnation. Product ordered released under bond for reconditioning and relabeling. (F. D. C. No. 7067. Sample No. 59769-E.)

The absorbent cotton in these first aid kits was contaminated with viable micro-organisms; and the outside container of the kits failed to bear statements of the quantity of the contents and of the quantity or proportion of the mercury derivative (mercurochrome) contained in one of the items, i. e., the bottle of mercurochrome solution.

On March 19, 1942, the United States attorney for the District of Maryland filed a libel against the above-named product at Baltimore, Md., alleging that

it had been shipped in interstate commerce on or about February 16, 1942, from Philadelphia, Pa., by Sol Levy; and charging that it was adulterated and misbranded. The article was labeled in part: "Blue Cross First Aid Kit, Hampton Manufacturing Co., Carlstadt, New Jersey."

It was alleged in the libel that the cotton contained in the kits was adulterated in that it purported to be, and was represented as a drug the name of which is recognized in the Second Supplement to the Eleventh Revision of the United States Pharmacopoeia, which specifies among other things, that absorbent cotton must be sterile, but its quality or purity fell below the standard set forth in that compendium since it was not sterile but was contaminated with viable aerobic and anaerobic or facultative anaerobic micro-organisms.

The kits were alleged to be misbranded (1) in that the statement "First Aid Kit," borne on the cover of the kits, was false and misleading when applied to an article which was not sterile but was contaminated with viable micro-organisms; (2) in that the outside container did not bear an accurate statement of the quantity of the contents; and (3) in that the outside container did not bear a statement of the quantity or proportion of mercurochrome, a mercury derivative contained in the bottle of mercurochrome solution.

On June 17, 1942, the Hampton Manufacturing Co., Carlstadt, N. J., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning by removal and destruction of the nonsterile cotton and proper relabeling of the kits under the supervision of the Food and Drug Administration.

797. Adulteration and misbranding of Sani+Cross Adhesive Strips. U. S. v. 49½ Gross of Sani+Cross Adhesive Strips. Default decree of condemnation and destruction. (F. D. C. No. 7106. Sample No. 40897-E.)

On March 28, 1942, the United States attorney for the Eastern District of Pennsylvania filed a libel against 49½ gross of Sani+Cross Adhesive Strips at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 9, 1941, by the World Merchandise Exchange from New York, N. Y.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that its purity and quality fell below that which it purported and was represented to possess, i. e., by its form and nature it purported and was represented to be of such purity and quality that it would be suitable for use on cuts and other wounds; whereas it was not suitable for such use since it was contaminated with living bacteria and the inconspicuous declaration on the package that the strips were not sterilized did not alter the character of an article represented as and purporting to be suitable for such use.

It was alleged to be misbranded in that the following statements appearing on the label "Sani+Cross Adhesive Strips for home, factory, and sport use. Directions. Wash wound with an antiseptic. Remove crinoline and apply gauze pad to the wound," were false and misleading since they represented and suggested that it was a safe, sanitary, and appropriate bandage for first aid use on broken skin; whereas it was not a safe and appropriate bandage for such use.

On May 1, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

798. Adulteration and misbranding of gauze bandages. U. S. v. 23 Dozen and 47 Dozen Packages of Gauze Bandages. Default decrees of condemnation and destruction. (F. D. C. Nos. 7419, 7793. Sample Nos. 66259-E, 80747-E.)

Examination of samples of this product showed that approximately one-half were contaminated with viable cocci or spore-forming micro-organisms.

On April 29 and June 29, 1942, the United States attorneys for the Southern District of Ohio and the Northern District of Illinois filed libels against 23 dozen packages of gauze bandages at Cincinnati, Ohio, and 47 dozen packages at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 16 and 18, 1942, from Carlstadt, N. J., by the Hampton Manufacturing Co.; and charging that it was adulterated and misbranded. The article was labeled in part: "Blue Cross 2 [or "1½"] inch 10 yds, Gauze Bandage Sterilized."

It was alleged to be adulterated in that its purity or quality fell below that which it purported or was represented to possess. It was alleged to be misbranded in that the statement "Sterilized" was false and misleading as applied to an article that was not sterile.