

ounce contains $\frac{1}{4}$ gr. Morphia * * * Contains 6 fld. Drams or over," were false and misleading and deceived and misled the purchaser, since it contained less than $\frac{1}{4}$ grain of morphia in each fluid ounce and the bottle contained less than 6 fluid drams.

On June 5, 1939, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30798. Adulteration and misbranding of gauze bandage. U. S. v. 19 Cartons of Gauze Bandage. Default decree of condemnation and destruction. (F. & D. No. 45444. Sample No. 65689-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to contain viable micro-organisms and molds.

On June 2, 1939, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 cartons of gauze bandage at Atlanta, Ga.; alleging that the article had been shipped on or about April 14, 1939, from Yonkers, N. Y., by Deane Sales Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard under which it was sold, namely, "Gauze Bandage Sterilized," since it was not sterile but was contaminated with viable micro-organisms.

Misbranding was alleged in that the label statement "Gauze Bandage Sterilized" was false and misleading when applied to an article that was not sterile.

On June 28, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30799. Misbranding of gauze bandage. U. S. v. 12 Gross of Bandages. Default decree of condemnation and destruction. (F. & D. No. 45326. Sample No. 47327-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be contaminated with viable micro-organisms. It was labeled to indicate that it was sterile.

On May 11, 1939, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 gross of gauze bandages at Baltimore, Md.; alleging that the article had been shipped from Detroit, Mich., on or about December 21 and 30, 1938, by J. S. Sullivan, Inc., and from New York, N. Y., on or about January 2, 1939, by Arthur N. Fraidin; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the following statements variously appearing in the labeling were false and misleading when applied to an article that was not sterile but was contaminated with viable micro-organisms: (Carton) "Guards Against Infection," "Medi-Band," "Modern All-Purpose Bandage," "Sanitary," "An Excellent First-Aid Bandage," "Directions For Applying, * * * Cover injury with a pad of sterile gauze. Wrap Medi-band around the finger. Pulling Medi-band fairly tight * * *. Follow this method of application wherever Medi-band may be used. * * * It is a necessary first aid kit for home, office and workshop"; (circular enclosed with bandage) "The illustrations [pictures of bandage being wrapped around finger] show the method of applying Medi-Band to an injured finger. * * * you can use Medi-Band on any part of the body * * *. Cover the injury with a pad of the sterile gauze. Then wrap Medi-Band around the finger once, pulling fairly tight."

On June 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30800. Misbranding of aromatic spirits of ammonia and tincture of iodine. U. S. v. The George E. Madison Co. Plea of guilty. Fine, \$200. (F. & D. No. 42671. Sample Nos. 28541-D, 39513-D.)

These products were labeled to indicate that they conformed to the standards laid down in the United States Pharmacopoeia and the National Formulary, respectively; whereas the aromatic spirits of ammonia contained a smaller amount of ammonia than required by the pharmacopoeia and the tincture of

iodine contained slightly less iodine and considerably more potassium iodide than prescribed by the formulary.

On March 16, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the George E. Madison Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act on or about July 14 and August 2, 1938, from the State of California into the States of Washington and Oregon, of quantities of aromatic spirits of ammonia and tincture of iodine that were misbranded.

The aromatic spirits of ammonia was alleged to be misbranded in that the statement "Arom. Spirits of Ammonia," borne on the bottle label, was false and misleading since it represented that the article consisted of aromatic spirit of ammonia, a product recognized in the United States Pharmacopoeia, and required by said pharmacopoeia to contain in each 100 cubic centimeters not less than 1.7 grams of total ammonia (NH_3); whereas the article was not aromatic spirit of ammonia since it contained in each 100 cc. not more than 1.005 grams of ammonia.

The tincture of iodine was alleged to be misbranded in that the statement "Churchill N. F. Tinct. Iodine," borne on the bottle label, was false and misleading in that the said statement represented that the article was Churchill's tincture of iodine, a product recognized in the National Formulary and required by said formulary to yield from each 100 cc. not less than 16 grams of iodine, and not more than 4 grams of potassium iodide; whereas it was not Churchill's tincture of iodine in that it contained in each 100 cc. less than 16 grams, namely, not more than 15.45 grams of iodine, and contained more than 4 grams, namely, not less than 7.15 grams of potassium iodide.

On June 19, 1939, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$200.

HARRY L. BROWN, *Acting Secretary of Agriculture.*