about November 12, 1940, by the Consolidated Drug Trade Products from Chicago, Ill.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading.

On January 9, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution.

403. Misbranding of moleskin adhesive plaster. U. S. v. 72 Dozen Packages of Moleskin Adhesive Plaster. Consent decree of condemnation. Product released under bond for repackaging. (F. D. C. No. 2230. Sample Nos. 30164–E, 30165–E, 30169–E, 30170–E.)

The carton containing this product was considerably larger than was necessary; approximately twice as much could have been placed in each carton.

On June 19, 1940, the United States attorney for the Northern District of Illinois filed a libel against 72 dozen packages of moleskin adhesive plaster at Chicago, Ill., alleging that the article had been shipped in interstate commerce within the period from on or about May 7 to on or about June 8, 1940, by the American White Cross Laboratories, Inc., from New Rochelle, N. Y.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: "Physicians and Surgeons * * * Valentine Laboratories Inc. Distributor, Chicago."

On July 31, 1940, the American White Cross Laboratories, Inc., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for repackaging under the supervision of the Food and Drug Administration.

NONSTERILE SURGICAL DRESSINGS

404. Misbranding of first aid kits. U. S. v. 60 Retail Packages of Sentinel Junior Ace First Aid Kits. Default decree of condemnation and destruction. (F. D. C. No. 1934. Sample No. 5241–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 that the cotton and gauze bandages in the kits were contaminated with micro-organisms. All items had been packed in containers which were unnecessarily large, i. e., the mercurochrome was contained in an extremely thick-walled bottle; the absorbent cotton occupied approximately one-half of the available space in the carton; the gauze bandages occupied approximately 35 percent of the available space of its carton; and the adhesive plaster occupied approximately 32 percent of the available space of its carton.

On May 14, 1940, the United States attorney for the Southern District of Indiana filed a libel against 60 retail packages of the above-named product at Indianapolis, Ind. On August 27, 1940, an amended libel was filed. It was alleged in the amended libel that the article had been shipped on or about February 15, 1940, by the McCrory Stores Corporation from New York, N. Y., and that it was misbranded.

It was alleged to be misbranded in that the statements on the label, "First Aid Kit" and "This product was thoroughly sterilized during manufacture and cleanly packaged, but continued sterility cannot be guaranteed," were false and misleading when applied to an article that was not sterile but was contaminated by micro-organisms. It was alleged to be misbranded further in that the containers were so made, formed, or filled as to be misleading.

On October 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

405. Misbranding of first aid kits. U. S. v. 20 Cartons of First Aid Kits. Default decree of condemnation and destruction. (F. D. C. No. 3834. Sample No. 32675–E.)

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

On February 17, 1941, the United States attorney for the Southern District of California filed a libel against 20 cartons of first aid kits at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 26, 1939, by the American White Cross Laboratories from New Rochelle, N. Y.; and charging that it was misbranded. The article was labeled in part: "White Cross Emergency First Aid Kit."

It was alleged to be misbranded in that the following statements and design appearing on the packages were false and misleading, since the bandages and cotton labeled "Absorbent Cotton" were not sterile but were contaminated with

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 busiess 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