material, whereas an article which is represented for intravenous use should be substantially free of any undissolved material.

DISPOSITION: November 19, 1948. Default decree of condemnation and destruction.

2620. Adulteration and misbranding of Congo red solution. U. S. v. 7 Cartons, etc. (and 1 other seizure action). (F. D. C. Nos. 25745, 25746. Sample Nos. 5179–K, 5372–K, 5373–K.)

LIBELS FILED: September 10, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 11, May 28, and August 16, 1947, and May 4, 1948, by the Cosmos International Corp., from New York, N. Y.

PRODUCT: 27 cartons, each containing 5 5-cc. ampuls, and 13 cartons, each containing 5 10-cc. ampuls, of *Congo red solution* at West Roxbury and Boston, Mass. Analysis showed that the product contained not more than 0.7 percent of Congo red and that it was contaminated with undissolved material.

LABEL, IN PART: "Congo-Red (Cosmos) Isotonic Sterile Solution of Congo Red For Intravenous Injection Congo Red 1.2%."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, 1.2 percent Congo red, since it contained less than the declared amount of Congo red, and its purity and quality fell below that which it purported and was represented to possess since it was represented to be for intravenous use and was contaminated with undissolved material, whereas an article for intravenous use should be substantially free of undissolved material.

Misbranding, Section 502 (a), the label statement "Congo Red 1.2%" was false and misleading as applied to a product containing less than the declared amount of Congo red; and its labeling was misleading since it failed to reveal the material fact, in the light of the representation that the product was for intravenous injection, that injections for intravenous use should not be used when they are contaminated with undissolved material.

DISPOSITION: November 15, 1948. Default decrees of condemnation and destruction.

2621. Adulteration and misbranding of Congo red solution. U. S. v. 11 Boxes * * *. (F. D. C. No. 25782. Sample No. 10220–K.)

LIBEL FILED: September 27, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about April 14, 1948, by the Drug Products Co. Inc., from Passaic, N. J.

PRODUCT: 11 boxes, each containing 25 ampuls, of *Congo red solution* at Long Island City, N. Y. Analysis showed that the product contained not more than 0.83 percent of Congo red.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, 1 percent Congo red.

Misbranding, Section 502 (a), the label statement "Congo Red Solution 1% (W/V)" was false and misleading as applied to a product which contained less than the declared amount of Congo red.

DISPOSITION: November 10, 1948. Default decree of condemnation and destruction.