NONSTERILE SURGICAL DRESSINGS

747. Adulteration and misbranding of absorbent cotton. U. S. v. 96 Packages of Absorbent Cotton. Default decree of condemnation and destruction. (F. D. C. No. 6851. Sample No. 70310–E.)

On February 16, 1942, the United States attorney for the Southern District of Florida filed a libel against 96 packages (varying in size from ½ ounce to 16 ounces in size) of absorbent cotton at Tampa, Fla., alleging that the article had been shipped in interstate commerce within the period from on or about November 18, 1941, to on or about January 6, 1942, by the United Drug Co. from Atlanta, Ga.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia and its quality or purity fell below the standards set forth in that compendium since the pharmacopoeia specifies among other things, that absorbent cotton be sterile; whereas the article was not sterile but was contaminated with viable micro-organisms. It was alleged to be misbranded in that the following statements in the labeling, "Absorbent Cotton U. S. P. Double Sterilized * * * The selected high grade cotton in this package has been double sterilized and when sealed, is ready for immediate first aid use," were false and misleading as applied to an article that was contaminated with viable micro-organisms.

On April 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

748. Adulteration and misbranding of absorbent cotton. U. S. v. 33,136 Packages of Absorbent Cotton. Consent decree of condemnation. Product ordered released under bond to be resterilized. (F. D. C. No. 7014. Sample No. 70420–E.)

On March 12, 1942, the United States attorney for the Northern District of Georgia filed a libel against the following quantities of absorbent cotton at Atlanta, Ga.—9,080 ½-ounce packages, 14,576 1-ounce packages, 3,230 2-ounce packages, 4,050 4-ounce packages, 1,580 8-ounce packages, and 620 1-pound packages, alleging that the article had been shipped within the period from on or about November 5, 1941, to on or about February 18, 1942, by Absorbent Cotton Co. of America from Valley Park, Mo.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia,, but its quality or purity fell below the standard set forth in the pharmacopoeia since it was not sterile but was contaminated with viable micro-organisms.

It was alleged to be misbranded in that the following statements on the label were false and misleading as applied to an article contaminated with living micro-organisms: "Absorbent Cotton U. S. P. double sterilized * * * The selected high grade cotton in this package has been double sterilized and when sealed, is ready for immediate first aid use."

On April 23, 1942, the United Drug Co., Boston, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be resterilized under the supervision of the Food and Drug Administration.

749. Misbranding of Aids Bandages for Emergency Use. U. S. v. 216 Packages of Bandages (and 2 other seizure actions against bandages). Default decrees of condemnation and destruction. (F. D. C. Nos. 6900, 6950, 6953. Sample Nos. 64683–E, 80108–E, 92008–E.)

On February 20 and 26, 1942, the United States attorneys for the Northern District of Ohio, the Western District of Pennsylvania, and the Southern District of California filed libels against 216 packages of bandages at Cleveland, Ohio, 34 dozen packages at Pittsburgh, Pa., and 22 dozen packages at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about November 5 and December 6, 1941, and January 31, 1942, by the Sealtex Co. from Chicago, Ill.; and charging that it was misbranded.

The article was alleged to be misbranded in that the statements "Aids Bandages For Emergency Use * * * Place medicated pad over injury Press edges together Wrap around finger," and the design showing application of the bandage to the finger, appearing in the labeling, were misleading as applied to an article that was not sterile but was contaminated with living micro-organisms.

On March 19 and 21 and April 17, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.