Misbranding, Section 502 (a), the label statement "Useful as an Application for Colds * * * and Bruises" was false and misleading since the article was not an adequate and effective treatment for colds and bruises.

DISPOSITION: May 5, 1950. Default decree of condemnation and destruction.

3113. Adulteration and misbranding of adhesive absorbent compresses. U. S. v. 3 Cartons * * *. (F. D. C. No. 29061. Sample No. 73683-K.)

LIBEL FILED: April 19, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about February 7, 1950, by the Wallich Laboratories, from Los Angeles, Calif.

PRODUCT: 3 cartons, each containing 100 unlabeled packages of 100 *adhesive absorbent compresses* each, at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its quality and purity fell below the official standard since it was not sterile.

Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (1), the article was not designated solely by a name recognized in an official compendium, and its label failed to bear the common or usual name of the article. Further misbranding, Section 502 (g), the article purported to be "Adhesive Absorbent Gauze [or "Adhesive Absorbent Compress"]," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and it was not packaged as prescribed therein since such compendium provides that "Each Adhesive Absorbent Gauze is packaged individually in such manner that sterility is maintained until the individual package is opened. One or more individual packages are packed in a second protective container." (The compresses were not individually wrapped.)

DISPOSITION: June 21, 1950. Default decree of condemnation and destruction.

3114. Adulteration and misbranding of applicators with tongue depressor. U. S. v. 117 Cartons * * *. (F. D. C. No. 29055. Sample No. 40477-K.)

LIBEL FILED: April 10, 1950, District of Maryland.

ALLEGED SHIPMENT: On or about February 3, 1950, by Steri-Swabs, Inc., from New York, N. Y.

PRODUCT: 117 cartons, each containing 12 packages, of *applicators with tongue depressor* at Baltimore, Md. Examination showed that the product was not sterile but was contaminated with living micro-organisms.

LABEL, IN PART: (Package) "Sterile 10 Applicators With Tongue Depressor."

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since the article was contaminated with living micro-organisms.

Misbranding, Section 502 (a), the label statements "Sterile When Packed" and "Sterile" were false and misleading as applied to a product that was not sterile.

DISPOSITION: May 17, 1950. Default decree of condemnation and destruction.