

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

30951-31000

DRUGS

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1940]

30951. Adulteration and misbranding of gauze bandages. U. S. v. 21 Dozen Gauze Bandages. Consent decree of condemnation and destruction. (F. & D. No. 42996. Sample No. 27238-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.

On June 30, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 dozen gauze bandages at Denver, Colo., consigned by the Bay Division, Parke, Davis & Co.; alleging that the article had been shipped from Bridgeport, Conn.; and charging adulteration and misbranding in violation of the Food and Drugs Act. On October 12, 1939, the libel was amended in order to allege that the shipment had been made sometime before the 10th day of March, 1938.

Adulteration was alleged in that the purity of the article fell below the professed standard or quality under which it was sold, namely, (carton) "The gauze bandage in this package was sterilized during manufacture. A sterilizing process is also applied to the finished package."

Misbranding was alleged in that the above-quoted statements were false and misleading.

On September 15, 1938, the Bay Division of Parke, Davis & Co. filed claim for the product and also filed an answer denying the material allegations of the libel. On October 12, 1939, the libel having been amended as aforesaid, and claimant having filed an amended answer averring that it was without knowledge or information sufficient to form a belief as to whether the bandages were not sterile when transported or when seized, and consenting to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30952. Adulteration and misbranding of absorbent cotton. U. S. v. 300 Pounds and 175 Pounds of Absorbent Cotton. Consent decree of condemnation. Product released under bond. (F. & D. Nos. 44596, 44597. Sample Nos. 41990-D, 41991-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.

On December 28, 1939, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of two lots consisting of 300 pounds and 175 pounds, respectively, of absorbent cotton at Atlantic City, N. J.; alleging that the article had been shipped by the Acme Cotton Products Co., Inc., from Dayville, Conn., the latter lot on or about July 1, 1937, and the former on or about April 29, 1938; and charging that it was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold, (label of portion) "Hospital * * * Surgical Absorbent Cotton," (label of remainder) "Nurse Brand Hospital Absorbent Cotton Especially Adapted for Hospital Use," since