

On April 13 and 14, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30636. Adulteration and misbranding of prophylactics. U. S. v. 17 Dozen Prophylactics (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44558, 44777, 45247. Sample Nos. 29420-D, 43177-D, 45726-D, 45753-D.)

Samples of this product were found to be defective in that they contained holes.

On December 21, 1938, February 6, and April 29, 1939, the United States attorneys for the Northern District of Ohio, the Northern District of Illinois, and the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 17 dozen prophylactics at Cleveland, Ohio, 12½ gross of prophylactics at Chicago, Ill., and 1½ gross of prophylactics at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce within the period from on or about November 21, 1938, to on or about January 18, 1939, by Youngs Rubber Corporation from New York, N. Y.; and charging adulteration with respect to two of the shipments, and adulteration and misbranding with respect to one shipment, in violation of the Food and Drugs Act. The article was labeled in part "Naturalamb Skins."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

One shipment was alleged to be misbranded in that the statement "For Prevention of Disease," stamped on the article, was false and misleading.

On March 14, April 6, and May 31, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30637. Misbranding of gauze bandages. U. S. v. 48 Dozen and 120 Dozen Gauze Bandages. Default decree of condemnation and destruction. (F. & D. No. 45422. Sample Nos. 51256-D, 51257-D.)

This product, which had been shipped in interstate commerce, and remained unsold and in the original packages at the time of examination, was found to be contaminated with viable micro-organisms.

On May 26, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 168 dozen packages of gauze bandage at Philadelphia, Pa.; alleging that the article had been shipped on or about December 27, 1938, and April 12, 1939, by the Meditex Supply Co. from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the statement "Doctors and Nurses" and the design of a nurse and a cross, appearing on the labels, were false and misleading since they created the impression that the article was sterile and safe for use; whereas it was not sterile but was contaminated with viable micro-organisms.

On June 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30638. Misbranding of Oxylin Greaseless Ointment. U. S. v. 14 Jars and 25 Jars of Oxylin Greaseless Ointment. Default decree of condemnation and destruction. (F. & D. No. 44623. Sample Nos. 27189-D, 27190-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On January 7, 1939, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of fourteen 2-ounce jars and twenty-five 1-ounce jars of Oxylin Greaseless Ointment at Binghamton, N. Y.; alleging that the article had been shipped in interstate commerce within the period from on or about September 17, to on or about October 30, 1936, by Evons Laboratories, Drexel Hill, Pa.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of small amounts of oxyquinoline sulfate, ethyl aminobenzoate, camphor, menthol, and eucalyptol in a base of glycerin and stearates.

The article was alleged to be misbranded in that the following statements on the labeling regarding its curative and therapeutic effects were false and fraudulent: (Bottle) "Recommended for relief of skin irritations due to external causes, * * * burns * * * cosmetic skin, textile and leather infections, * * * sore * * * feet * * * gum massage for sore mouth. * * * reduces danger of infection"; (circular) "Skin Poisons * * * Silk and Dye Poisons * * * Leg Sores * * * Cosmetic Skin * * * Bleeding Gums, Sore Mouth * * * Hay Fever, Sinus Infection * * * possesses remarkable properties for prompt relief and permanent results in treatment of skin and membrane difficulties. * * * promotes rapid healing generally without a scar * * * For larger burns and scalds * * * Eczema, Impetigo * * * Be patient in chronic cases, remember it takes time to be really effective. * * * your best protection against a possible infection. * * * Dye, Leather and Textile Poisons. This form of skin poison is very prevalent among workers in silk and textile mills, attacking the hands and spreading to other portions of the body. This disease is known as a fungoid infection. Most cases respond to Oxylin Ointment alone. For severe conditions, treat as follows: * * * seeing that the solution reaches all infected portions. * * * Hay Fever * * * [in foreign languages] * * * dry eczema, eruptions * * *. In serious cases."

On May 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30639. Adulteration and misbranding of S-A Antiseptic Surgical Dressing. U. S. v. 15 Dozen Packages of S-A Antiseptic Surgical Dressing. Default decree of condemnation and destruction. (F. & D. No. 45351. Sample No. 47446-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be contaminated with viable micro-organisms. Its label falsely represented that it was sterile and also bore false and misleading representations regarding its antiseptic properties.

On May 17, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 dozen packages of S-A Antiseptic Surgical Dressing at Tyrone, Pa.; alleging that the article had been shipped on or about February 28 and April 4, 1939, by the Antiseptic Products Manufacturing Co. from Baltimore, Md.; and charging adulteration and misbranding 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, (carton) "Antiseptic Surgical Dressing * * * Antiseptic Gauze Sterile" and (circular) "Sterile Antiseptic," since it was not sterile and was not an antiseptic, but was contaminated with viable micro-organisms.

It was alleged to be misbranded in that the following statements borne on the carton, "The Antiseptic Surgical Dressing for all purposes * * * Antiseptic," "A complete Antiseptic Dressing * * * Sterile Antiseptic. Directions for use: Cut sufficient composite to encircle member Gauze necessary only with severe bleeding * * * The use of any other antiseptic is unnecessary with S-A. Best results are obtained without their use," and "Conforms to U. S. Gov't. standards for antiseptic products," and statements of like import on a display carton and in a circular accompanying the article were false and misleading when applied to the said article, which was not sterile and was not an antiseptic but which was contaminated with viable micro-organisms.

On June 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30640. Misbranding of San-O-Sen Antiseptic Spray. U. S. v. Palustrepine, Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 42558. Sample No. 8747-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.