

**30218. Misbranding of gauze bandages. U. S. v. 27 Gross of Gauze Bandages. Default decree of condemnation and destruction. (F. & D. No. 44013. Sample No. 35652-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. It was intended for uses requiring a sterile product.

On September 29, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 27 gross of gauze bandages at Boston, Mass.; alleging that they had been shipped on or about June 21, 1938, by Dermay, Inc., from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the statement on some of the packages, "Physicians and Surgeons Gauze Bandage," that on another package, "Doctors and Nurses Gauze Bandage" and the words "First Aid Products," which formed part of the firm name "First Aid Products Corporation," were false and misleading when applied to bandages which were not sterile but were contaminated with viable micro-organisms.

On February 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30219. Misbranding of mineral oil. U. S. v. 334 Bottles and 71 Bottles of Extra Heavy Mineral Oil. Default decree of condemnation and destruction. (F. & D. No. 44219. Sample Nos. 27149-D, 27151-D.)**

This product was represented to be heavy mineral oil of pharmacopoeial standard but failed to conform to the standard laid down in that authority since tests prescribed therein disclosed the presence of moisture and solid paraffins.

On October 21, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 334 pint bottles and 71 quart bottles of extra heavy mineral oil at Elizabeth, N. J.; alleging that the article had been shipped in interstate commerce by the Nostane Products Corporation from Brooklyn, N. Y., about August 12 and 13, 1938; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the statement on the label, "Heavy Mineral Oil U. S. P.," was false and misleading since the article was not heavy liquid petrolatum as described in the United States Pharmacopoeia in that it differed from the standard of strength, quality, and purity as determined by the tests laid down therein.

On January 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30220. Adulteration and misbranding of G.S.I. Gly-So-Iodonate. U. S. v. 23 Bottles, 4 Bottles, and 10 Bottles of G.S.I. Gly-So-Iodonate. Default decree of condemnation and destruction. (F. & D. No. 42927. Sample No. 21802-D.)**

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

On June 17, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 bottles of the above-named product at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 28, 1938, by the National Medical Research Laboratories from Milwaukee, Wis.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of water, alcohol, glycerin, sodium chloride, small proportions of carbonates, sulfates, iodides, phosphates, and borates, together with traces of formaldehyde and iodoform. Bacteriological examination showed that it was not an antiseptic surgical first aid.

Adulteration was alleged in that the strength of the article fell below the professed standard or quality under which it was sold, namely, antiseptic, since it was not an antiseptic.

Misbranding was alleged in that the statements, "Antiseptic Surgical First Aid \* \* \* For burns on scalp and skin and use liberally during manicure under free edge of finger nails and loose cuticle," were false and fraudulent.

On January 3, 1939, the answer theretofore filed by the claimant having been withdrawn, judgment of condemnation was entered and the product was ordered destroyed.

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

**30221. Adulteration and misbranding of Follicovar. U. S. v. Hypo-Medical Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 42618. Sample No. 12579-D.)**

This product contained approximately 25 percent of the number of International Units of ovarian follicular hormone declared on the label.

On December 18, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hypo-Medical Corporation, New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act on or about April 4, 1938, from the State of New York into the State of New Jersey of a number of boxes, each containing 12 ampuls of ovarian follicular hormone which was adulterated and misbranded.

Adulteration was alleged in that the strength of the article fell below the professed standard or quality under which it was sold in that each mil of the article was represented to contain 2,500 International Units of ovarian follicular hormone; whereas each mil of said article contained less than so represented, namely, not more than 640 International Units of ovarian follicular hormone.

Misbranding was alleged in that the statements "(Ovarian Follicular Hormone) Each mil contains \* \* \* 2500 International Units," borne on the boxes, and "Ovarian Follicular Hormone 2500 International Units," borne on the ampul label, were false and misleading in that they represented that each mil of the article contained 2,500 International Units of ovarian follicular hormone; whereas each mil contained a less amount.

On January 11, 1939, a plea of guilty was entered on behalf of the defendant and on January 13, 1939, the court imposed a fine of \$100.

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

**30222. Adulteration and misbranding of Orchotine Tablets. U. S. v. Hudson Pharmacal Co., Inc., and Edward Fetterly. Pleas of guilty. Corporation fined \$50 on each of three counts; payment suspended. Individual fined \$50 on each of three counts; payment suspended on counts 2 and 3. (F. & D. No. 39828. Sample No. 33569-C.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims and false and misleading representations regarding its constituents.

On March 8, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hudson Pharmacal Co., Inc., Union City, N. J., and Edward Fetterly, president of the said corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about February 15 and April 15, 1937, from the State of New Jersey into the State of Illinois of a quantity of Orchotine Tablets that were adulterated and misbranded.

Analysis showed that the article consisted of animal tissue, probably glandular in nature, each tablet containing 1/25 grain of extract of nux vomica.

Adulteration was alleged in that the strength and purity of the article fell below the professed standard and quality under which it was sold in that the tablets were represented to contain the active principles of the testes (interstitial cells of Leydig) with the other vital glands of the testicular cycle; whereas they did not contain the active principles of the testes with the other vital glands of the testicular cycle.

Misbranding was alleged in that the statement "contains the active principles of the testes (Interstitial cells of Leydig) with the other vital glands of the testicular cycle," borne on the bottle label, was false and misleading. Misbranding was alleged further in that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottle label, falsely