

On June 11 and October 27, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

799. Adulteration and misbranding of gauze bandage. U. S. v. 179 Dozen Retail Packages of Gauze Bandage (and 3 other seizure actions against gauze bandage). Portion of product ordered released under bond to be sterilized; remainder ordered destroyed. (F. D. C. Nos. 7467, 7897, 8075, 8420. Sample Nos. 78914-E, 78915-E, 92536-E, 7250-F, 28507-F.)

All shipments of this product were contaminated with viable micro-organisms; and the cartons in one shipment were unnecessarily large.

On May 6, July 14, August 10, and September 24, 1942, the United States attorneys for the Southern District of California, Western District of Pennsylvania, Northern District of Georgia, and the District of Minnesota filed libels against the following quantities of gauze bandage—179 dozen packages at Los Angeles, Calif.; 48½ gross packages at Pittsburgh, Pa.; 153 dozen packages at Atlanta, Ga.; and 21 dozen packages at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about March 18, 20, and 25, May 1, and August 11, 1942, by Gotham Sales Co., Inc., from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Gauze Bandage * * * Distributed by Gotham Sales Co. N. Y. C. [or "Distributors Chatham Sundries Co. New York NY"]."

The article was alleged to be adulterated in that its purity or quality fell below that which it purported or was represented to possess, namely, "Sterilized."

It was alleged in substance to be misbranded in that the statements (cartons in all shipments) "Sterilized after packaging," and (cartons of portions located at Los Angeles and Pittsburgh) "Designed to perfectly meet first aid requirements," were false and misleading as applied to an article that was contaminated with viable micro-organisms. A portion (seized at Minneapolis) was alleged to be misbranded further in that its container was so made, formed, and filled as to be misleading.

On May 26 and December 10, 1942, and January 22, 1943, no claimant having appeared for the seizures at Los Angeles, Minneapolis, and Atlanta, decrees were entered ordering that those at Los Angeles and Minneapolis be destroyed and that the portion of the product seized at Atlanta be sold after having been sterilized under the supervision of the Food and Drug Administration. On September 24, 1942, Gotham Sales Co., Inc., having admitted the allegations of the libel filed in Pennsylvania, judgment of condemnation was entered and the portion of the product seized at Pittsburgh was ordered released under bond conditioned that it be reesterilized under the supervision of the Food and Drug Administration.

800. Adulteration and misbranding of sutures. U. S. v. 27 Cartons of Champion Dermal Sutures (and 3 other seizures of sutures). Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond to be sterilized. (F. D. C. Nos. 7583, 7584, 7788, 7814, 7833. Sample Nos. 31382-E, 76999-E, 77000-E, 77701-E to 77703-E, incl., 81664-E, 81665-E.)

On June 5, 1942, the United States attorney for the District of Colorado filed a libel against 27 cartons each containing 1 dozen sutures at Denver, Colo., which had been consigned by Gudebrod Bros. Silk Co. On June 22 and 26 and July 1, 1942, the United States attorneys for the District of Minnesota, Eastern District of New York, and Eastern District of Michigan filed libels against 12 packages each containing 1 dozen sutures at Minneapolis, Minn.; 36,532 envelopes of sutures at Brooklyn, N. Y.; and 23 dozen packages each containing 1 dozen sutures at Detroit, Mich., alleging that they had been shipped by Gudebrod Bros. Silk Co. The libels alleged that the article had been shipped in interstate commerce within the period from on or about June 18, 1941, to April 20, 1942, from Stowe, Pottstown, and Philadelphia, Pa.; and charged that it was adulterated and misbranded. It was labeled in part: "Champion Dermal Suture 000 [or "0000"] Fine 40 Inches"; or "Sizes 1-5-8 Two 18" Strands of Each."

It was alleged to be adulterated in that its purity or quality fell below that which it purported or was represented to possess, namely, "Sterilized," since it was not sterile but was contaminated with living micro-organisms.

The portion of the article seized at Brooklyn, was alleged to be misbranded in that the statements, (envelopes) "Sterile * * * Caution—To prevent contamination, remove contents with disinfected hands or forceps only," were false and

misleading since they represented and suggested that it was sterile; whereas it was not. The remainder was alleged to be misbranded in that the word "Sterilized," borne on the envelopes, was false and misleading.

On June 19, 1942, the shipper having signed an acceptance of service and authorization for taking of final decree against the portion of the product seized at Denver, judgment of condemnation was entered and the product was ordered destroyed. On August 27, 1942, the shipper having admitted the allegations of the libel filed in the Eastern District of New York, the product was ordered released under bond conditioned that it be sterilized and repackaged under the supervision of the Food and Drug Administration. On September 3 and 8, 1942, no claimant having appeared for the seizures at Minneapolis and Detroit, judgments of condemnation were entered and the product was ordered destroyed.

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PRODUCTS

	N. J. No.		N. J. No.
Abortifacients-----	751-753	Mercurochrome solution-----	798
Adhesive strips-----	795, 797	My-X-Ym-----	765
Adiron-----	766	Nebulin A with Nebulator-----	771
Agar and oil with phenolphthalein---	758	Neohormestrin-----	756
Alcoholism remedy-----	756	Nomo For Piles-----	757
Alkaline compound powder-----	775	No. 358 Compressed Tablets-----	756
Aresnol Compound Powder-----	775	Nux vomica alkaloids, liquid-----	775
Armi Mineral Water-----	¹ 777	Ovarian extract-----	756
Arnold Garlic Tablets-----	779	Pitcher's Castoria-----	782
Asmolac-----	757	Pituitary, posterior, solution-----	778
Aurofectol-----	759	Pond's Digestans and Laxative Pills---	764
Blue Cross First Aid Kits-----	796	Potassium arsenite compound tablets---	775
Borax-----	768	Purpoid Nos. 22 and 600-----	759
Brown's Inhalant-----	² 792	Quinine sulfate tablets-----	756
Calcium gluconate compound solution---	775	and urea hydrochloride solution---	756
Canine worm tablets-----	757	Ramsdell's Sulphur Cream-----	772
Chorionic gonadotropic hormone-----	769	Re-Duce-Olds Capsules-----	783
Cod-liver oil-----	776	Reducing preparation-----	783
Compresses-----	795	Rx S368230 Pills-----	761
Conjunctivitis #1 Tablets-----	775	Sanafrio-----	757
Cotton, absorbent-----	³ 795, 796	Sani + Cross Adhesive Strips-----	795, 797
Davis Formula No. 7895-----	780	Santonin-calomel tablets-----	775
Dependon Products Intrauterine Paste-----	751	Security Gas Colic Remedy-----	790, 791
Products Paste-----	⁴ 751, 752	Roup and Cold Remedy; and Worm Powder-----	790
<i>See also</i> Intrauterine paste.		S.G.M.a., Sterile Supportive Formula---	756
Diuretic powder-----	775	Sodium cacodylate solution-----	775
Eff-Remin Dentifrice-----	781	Special Formula 833-----	784
Emerson's Dead Shot-----	793	S-T-D "The" Hair Tonic-----	785
Epinephrine hydrochloride tablets-----	756 761	Sterile Solution Formula No. 1-----	756
Fermlax-----	760	Sulfur cream-----	772
First aid kits-----	795, 796	Suppletive Formula No. 1-----	756
Floramucin-----	766	Surgical dressings-----	795-800
Garlic tablets-----	779	Sutures-----	800
Gauze-----	795, 798, 799	Tetrachlorethylene capsules-----	775
Gilmore's Headache Powders-----	755	Thyroid powder-----	767
Glandular products-----	756, 767, 769, 778, 783	tablets-----	756
Gloria Laxative Pills-----	761	<i>See also</i> Re-Duce-Olds Capsules.	
Tonic Tablets-----	762	Tip Top Emergency First Aid Kits---	795
Glucose solution-----	775	Tonic Powder-----	775
Guaiadine Tablets-----	775	Tuna-liver oil-----	773
Hair tonic-----	785	Veterinary remedies-----	775, 776, 790-794
Headache remedy-----	755	Vi-Penta Drops 'Roche'-----	774
Intrauterine paste-----	751-753	Vitamin preparations-----	766, 773, 774, 776, 784-787
Laxatives-----	758, 760-766, 770, 782	Vita Might Capsules-----	786
cold tablets-----	761	Vita-Port Vitamin B ₁ Tonic-----	787
Luebert's Ka-No-Mor Capsules, (Nox'em Brand) Iron Tonic Compound Tab- lets and Noxem Brand Tablets and Capsules (Combined)-----	754	Water, mineral-----	¹ 777
Magnesia, citrate-----	763	triple distilled-----	756
citrate, with magnesium sulfate---	770	Wheat embryo-----	788
		germ oil-----	794
		Wise's Kollesol Tablets-----	789

¹ Prosecution contested.

² Contains an opinion of the court.

³ Permanent injunction issued.

⁴ Violation of injunction.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

801-850

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

WATSON B. MILLER,

Acting Administrator, Federal Security Agency.

WASHINGTON, D. C., October 7, 1943.

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DRUGS ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

801. Misbranding of Dr. Shreves' S-and-L Pills and Dr. Shreves' Anti-Gall-Stone Remedy. U. S. v. Ralph V. Toland (Dr. Shreves' Medicine Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 4117. Sample Nos. 15549-E, 30909-E.)

On July 31, 1941, the United States attorney for the Southern District of Iowa filed an information against Ralph V. Toland, trading as Dr. Shreves' Medicine Co., Newton, Iowa, alleging shipment on or about June 19, 1940, from the State of Iowa into the State of Arkansas of a number of boxes of Dr. Shreves' S-and-L Pills which were misbranded, and on or about May 11, 1940, from the State of Iowa into the State of Indiana of a number of packages, each containing a bottle of Dr. Shreves' Anti-Gall-Stone Remedy, and an envelope containing a number of Dr. Shreves' S-and-L Pills which were also misbranded.

Analysis of a sample of the pills showed that they contained plant material, including a laxative plant drug, and metallic mercury with chalk, the two samples containing 0.62 grain and 0.68 grain respectively of mercury. Analysis of a sample of the gallstone remedy showed that it consisted essentially of lime water containing a white sediment and flavored with sassafras.

The pills were alleged to be misbranded in that they would be dangerous to health when used in the dosage or with the frequency or duration prescribed,

¹ For substitution of a drug and its sale under the name of another drug, see No. 820; omission of name and place of business of manufacturer, packer, or distributor, No. 845; omission of accurate statement of quantity of contents, Nos. 805, 809, 845; inconspicuousness of quantity of contents and active ingredients statements, Nos. 840, 849; omission of, or unsatisfactory, active ingredient statement, Nos. 809, 828, 839, 844, 845; deceptive packaging, No. 805.