

It was alleged to be misbranded in that the representation that it had been sterilized after packaging, was false and misleading as applied to a product which was contaminated with viable micro-organisms. A portion was alleged to be misbranded further in that the representation in the labeling that it was a first-aid dressing for emergencies was false and misleading as applied to an article that was not fit for use as a first-aid dressing for emergencies.

Within the period from on or about February 29 to on or about June 24, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

247. Misbranding of gauze pads. U. S. v. 375 Boxes of Redi Dressing. Default decree of condemnation and destruction. (F. D. C. No. 1581. Sample No. 81346-D.)

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

On March 6, 1940, the United States attorney for the Western District of New York filed a libel against 375 boxes of Redi-Dressing at Buffalo, N. Y., alleging that the article had been shipped by the Handy Pad Supply Co. from Worcester, Mass., on or about January 25, 1940; and charging that it was misbranded.

The article was alleged to be misbranded in that the representation in the labeling that it was a protective dressing for minor injuries was false and misleading, since it was not a protective dressing for minor injuries in that it was not sterile but was contaminated with viable micro-organisms.

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

248. Misbranding of first aid kits. U. S. v. 29 Dozen First Aid Kits. Default decree of condemnation and destruction. (F. D. C. No. 1917. Sample No. 6363-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time the gauze bandages and absorbent cotton in the kits were found to contain viable micro-organisms. The containers of the various products making up the kits were, with the exception of that of the absorbent cotton, unnecessarily large.

On May 24, 1940, the United States attorney for the District of Montana filed a libel against 29 dozen packages of first aid kits at Butte, Mont., alleging that the article had been shipped in interstate commerce on or about March 30, 1940, by the American White Cross Laboratories from New Rochelle, N. Y.; and charging that it was misbranded. The article was labeled in part: "White Cross Emergency First Aid Kits."

It was alleged to be misbranded in that the statement on the packages "The White Cross of Perfection is Your Protection"; and the representations in the labeling that it was an Emergency First Aid Kit; that it contained sterilized surgical dressings for emergency first aid were false and misleading since it was contaminated with viable micro-organisms. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading since the cartons containing the individual products with the exception of the absorbent cotton, were in all cases larger than was required, the gauze bandage occupying approximately 29 percent, the adhesive tape approximately 50 percent, and the adhesive strip bandage approximately 25 percent of the available space of their respective containers. The bottles containing the mercurochrome were of extremely thick glass.

On July 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

249. Adulteration and misbranding of first aid kits and bandage. U. S. v. 21 First Aid Kits and 28 Packages of First Aid Bandages. Decrees of condemnation and destruction. (F. D. C. Nos. 2410, 2411. Sample Nos. 3852-E, 3853-E.)

The first aid kits had been shipped in interstate commerce and were in interstate commerce at the time of examination, at which time the absorbent cotton, the gauze bandages, and the gauze pads in the kits were found to be contaminated with viable micro-organisms. They were also misbranded because of failure to meet certain requirements of the law with respect to labeling, and the cartons containing the individual items were, in most instances, unnecessarily large. The first aid bandages contained mercurochrome