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 resterilized; 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 resterilized 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