

3773. Adulteration and misbranding of adhesive bandages. U. S. v. 35 Boxes, etc. (and 1 other seizure action). (F. D. C. Nos. 32481, 32523. Sample Nos. 980-L, 981-L, 1266-L, 1267-L, 37768-L, 37769-L.)

LIBELS FILED: On or about February 7, 1952, Middle District of North Carolina and Eastern District of New York.

ALLEGED SHIPMENT: On or about December 17 and 28, 1951, by Medical Fabrics Co., Inc., from Paterson, N. J.

PRODUCT: 309 boxes each containing 100 *adhesive bandages*, and 182 boxes each containing 50 *adhesive bandages*, at Lexington, N. C., and Brooklyn, N. Y.

LABEL, IN PART: "2" x 2¾" 'Presso' Patch [or "Round Presso Patch"] Sterilized Plain Pad Elastic Adhesive Occlusive Dressing," "3" x 3" 4-Wing 'Presso' Joint Patch Elastic Adhesive Dressing * * * Sterilized," and "1" x 3" 'Presso-plast' Elastic Stick Pad * * * Sterilized."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Adhesive Absorbent Bandage," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its quality and purity fell below the official standard since the article was not sterile.

Misbranding, Section 502 (a), the label statement "Sterilized" was false and misleading as applied to the article, which was not sterile but was contaminated with living micro-organisms.

DISPOSITION: April 30, 1952. Medical Fabrics Co., Inc., having appeared as claimant and the libel proceedings having been consolidated for hearing before the United States District Court for the Eastern District of New York, and the claimant having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing, under the supervision of the Federal Security Agency.

3774. Adulteration of hypodermic syringes. U. S. v. 132 Syringes, etc. (F. D. C. No. 32366. Sample No. 10817-L.)

LABEL FILED: December 20, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 9, 1951, by E. Miltenberg, Inc., from New York, N. Y.

PRODUCT: 132 2-cc. size, 9 5-cc. size, and 9 10-cc. size *hypodermic syringes* at Indianapolis, Ind. Examination showed that approximately 25 percent of the syringes were defective in that the metal tip at the bottom of the syringe was cracked, thereby permitting a substantial portion of the medication to escape through the crack when one attempted to inject the medication by pressing on the plunger.

LABEL, IN PART: "Miltex."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported to possess since its quality was impaired by a crack in the metal tip, permitting leakage of the medication to be injected by use of the article.

DISPOSITION: July 28, 1952. Default decree of forfeiture. The court ordered that a portion of the article, namely, 63 of the syringes which were found to be