

28360. Misbranding of P. & S. Brand Sani-Strips. U. S. v. 12 Dozen Packages of P. & S. Brand Sani-Strips. Default decree of condemnation and destruction. (F. & D. No. 40709. Sample No. 62987-C.)

This product was labeled "Waterproof" and was also labeled to indicate that it was sterile; whereas it was not sterile, but contained viable micro-organisms and contained holes through which water could penetrate.

On November 10, 1937, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 dozen packages of P. & S. Brand Sani-Strips at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 21, 1937, by the American White Cross Laboratory from New Rochelle, N. Y., and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement "Physicians and Surgeons Sani-Strips," borne on the metal container and the wrapper around the individual bandage; the statements, "Emergency Bandages," "Hospital Quality," and "Surgical Quality," borne on the metal container, and the statement "Waterproof," borne on the metal container and wrapper, were false and misleading as applied to bandages which were not sterile but were contaminated with viable micro-organisms, and which contained holes through which water might readily pass.

On December 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28361. Adulteration and misbranding of Cristallovar I.B.I. U. S. v. 56 Bottles of Cristallovar I.B.I. Default decree of condemnation and destruction. (F. & D. No. 40263. Sample No. 38636-C.)

This product was represented to contain 300 international units of follicular hormone per cubic centimeter, but contained less than 93 international units. It contained alcohol, which was not properly declared.

On September 13, 1937, 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 a libel praying seizure and condemnation of 56 bottles of Cristallovar I.B.I. at New York, N. Y., alleging that the article had been shipped from Milan, Italy, by Istituto Biochimico Italiano on or about September 12, 1936, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Cristallovar contains the follicular hormone obtained from fresh ovary glands * * * Each c.c. contains 300 international units."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold, viz, "Cristallovar I.B.I.," "Each cc contains 300 international units," since its potency per cubic centimeter was appreciably less than the stated number of international units of follicular hormone.

The article was alleged to be misbranded in that the foregoing statements were false and misleading. It was alleged to be misbranded further in that the package failed to bear on its label a statement of the quantity or proportion of alcohol contained in the articles since no statement appeared on the bottle label, and the statement on the carton was not in terms of percentage by volume of the absolute alcohol.

On October 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28362. Misbranding of Ourine Nasal Balm and Ourine Application for the Ears. U. S. v. Aurine Co., Inc., Milton W. Folds, Charles G. Foucek, and Jessie D. Folds. Pleas of nolo contendere. Fines, \$200. (F. & D. No. 39752. Sample Nos. 2201-C, 2202-C, 2203-C.)

The labeling of these products contained false and fraudulent representations regarding their curative or therapeutic effects.

On October 22, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Aurine Co., Inc., Chicago, Ill., and Milton W. Folds, Charles G. Foucek, and Jessie D. Folds, officers of the corporation, alleging shipments by said defendants in violation of the Food and Drugs Act as amended, on or about October 5, 1936, and January 11, 1937,