

PRODUCT: 3,600 gross of *prophylactics* at Houston, Tex. Examination of samples showed that 9.6 percent were defective in that they contained holes.

LABEL, IN PART: "Xcello's Prophylactics Mfd. by The Killian Mfg. Company, Akron, Ohio."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label statement "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: February 8, 1949. Default decree of condemnation and destruction.

2630. Adulteration and misbranding of prophylactics. U. S. v. 72 Gross * * *.
(F. D. C. No. 25707. Sample No. 45629-K.)

LIBEL FILED: October 13, 1948, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 22, 1948, by the Killashun Sales Division, from Akron, Ohio.

PRODUCT: 72 gross of *prophylactics* at St. Louis, Mo. Examination of samples showed that 3 percent were defective in that they contained holes.

LABEL, IN PART: "Texide Manufactured By L. E. Shunk Latex Prod., Inc., Akron, Ohio."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statements "Prophylactic," "Prophylactic * * * Tested * * * For Your Protection," and "Prophylactics * * * Tested * * * For Your Protection" were false and misleading as applied to an article containing holes.

DISPOSITION: November 12, 1948. Default decree of condemnation and destruction.

2631. Adulteration and misbranding of prophylactics. U. S. v. 270 Gross * * *.
(F. D. C. No. 26075. Sample No. 3485-K.)

LIBEL FILED: November 17, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about September 7 and 27, 1948, by the Allied Latex Corp., from Newark and Harrison, N. J.

PRODUCT: 270 gross of *prophylactics* at Baltimore, Md. Examination of samples showed that 2.99 percent were defective in that they contained holes.

LABEL, IN PART: "Blue Ribbon Sold For Prevention of Disease Only."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label statement "For Prevention of Disease" was false and misleading as applied to an article containing holes.

DISPOSITION: December 21, 1948. Default decree of condemnation and destruction.