

**2632. Adulteration and misbranding of prophylactics. U. S. v. 25 Gross \* \* \*.**  
(F. D. C. No. 25697. Sample No. 20546-K.)

**LIBEL FILED:** October 11, 1948, Southern District of Iowa.

**ALLEGED SHIPMENT:** On or about August 17, 1948, by the Dean Rubber Mfg. Co., from North Kansas City, Mo.

**PRODUCT:** 25 gross of *prophylactics* at Council Bluffs, Iowa. Examination of samples showed that 3.33 percent were defective in that they contained holes.

**LABEL, IN PART:** "Dean's Peacocks Reservoir Ends."

**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 following statements in the labeling of the article were false and misleading as applied to an article containing holes: "Protect Your Health \* \* \* give him complete protection \* \* \* Peacocks are manufactured and carefully tested on the most modern up-to-date equipment known to the industry—carrying a guarantee backed by a company who for twenty years has safeguarded its customers' health through constant vigilance over its products" and "tested \* \* \* for your protection \* \* \* An aid in preventing venereal diseases."

**DISPOSITION:** December 16, 1948. Default decree of condemnation and destruction.

**2633. Adulteration and misbranding of prophylactics. U. S. v. 20 Gross \* \* \*.**  
(F. D. C. No. 25670. Sample No. 28596-K.)

**LIBEL FILED:** October 12, 1948, District of Colorado.

**ALLEGED SHIPMENT:** On or about September 1, 1948, by the Dean Rubber Mfg. Co., from North Kansas City, Mo.

**PRODUCT:** 20 gross of *prophylactics* at Denver, Colo. Examination of samples showed that 2.3 percent were defective in that they contained holes. Circulars entitled "Protect Your Health" were inclosed with the product.

**LABEL, IN PART:** "Dean's Peacocks Reservoir Ends."

**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 following statements were false and misleading as applied to an article containing holes: (Circular) "Protect your health When a customer purchases a prophylactic, he certainly is buying what he thinks will give him complete protection—and rightly so. It seems to us the best guide for a customer to follow to protect his confidence is to purchase a well known tried and proven brand. Peacocks are manufactured and carefully tested on the most modern up-to-date equipment known to the industry—carrying a guarantee backed by a company who for twenty years has safeguarded its customers' health through constant vigilance over its products—popularizing the Reservoir End Peacock—a great Health feature. Demand the original Peacock Reservoir End Prophylactic from your druggist" and (3-unit tin) " \* \* \* for your protection \* \* \* An aid in preventing venereal disease."

**DISPOSITION:** November 23, 1948. Default decree of condemnation and destruction.