

28726. Adulteration and misbranding of rubber prophylactics. U. S. v. 31 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 41569. Sample No. 1407-D.)

Examination of samples of these prophylactics showed that some of them were defective in that they contained holes.

On or about January 31, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 31 gross of rubber prophylactics at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about December 16, 1937, from New York, N. Y., by the Aaronoff Rubber Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Kamelskin."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements appearing upon the package were false and misleading: "Kamelskin * * * Prophylactic * * * For Prevention of Disease * * * Guaranteed Five Years."

On March 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28727. Adulteration and misbranding of rubber prophylactics. U. S. v. 17 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 41860. (Sample No. 15205-D.)

Examination of samples of these prophylactics showed that some of them were defective in that they contained holes.

On or about March 8, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 17 gross of rubber prophylactics at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 17, 1938, from Akron, Ohio, by the Superior Latex Products Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Golden-Eagle."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements appearing in the labeling were false and misleading: "100 percent perfect * * * Air tested, guaranteed five years * * * most perfect product manufactured and guaranteed against deterioration for five years. * * * for the prevention of contagious diseases * * * For Prevention of Disease."

On April 21, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28728. Adulteration and misbranding of rubber prophylactics. U. S. v. 32 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 42250. Sample No. 16347-D.)

Examination of samples of these prophylactics showed that some of them were defective in that they contained holes.

On April 28, 1938, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 32 gross of rubber prophylactics at New Orleans, La., alleging that the article had been shipped in interstate commerce, a part on or about March 24, 1938, from Chicago, Ill., by the Universal Merchandise Co., and a part on or about April 2, 1938, from North Kansas City, Mo., by the Dean Rubber Manufacturing Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Clinic."

It was alleged to be adulterated in that its strength fell below the professed standard of quality under which it was sold.

It was alleged to be misbranded in that the following statements appearing on the package were false and misleading: "A dependable product * * * disease-preventive * * * prophylactics * * * Guaranteed 5 years * * * for prevention of disease."

On May 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*