

For Prevention of Disease * * * X cello's * * * the perfected latex * * * for the Prevention of Contagious Diseases * * * For the Prevention of Disease * * * Guaranteed For Five Years."

On May 16 and June 4, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29295. Adulteration and misbranding of rubber prophylactics. U. S. v. 16½ Gross of Rubber Prophylactics (and 3 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 41967, 42001, 42162, 42476. Sample Nos. 9817-D, 10292-D, 16988-D, 17415-D.)

Samples of this product were found to be defective in that they contained holes.

On various dates between March 19 and May 27, 1938, four United States attorneys, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 97½ gross of rubber prophylactics in various lots at Gaffney, S. C., Petersburg, Va., Lynchburg, Va., and Lebanon, Pa.; alleging that the article had been shipped in interstate commerce on various dates between February 7 and March 31, 1938, from New York, N. Y., by Magnet Merchandise Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part variously: "Majestic Brand"; "Silver Skin"; "Texide * * * L. E. Shunk Latex Products, Inc., Akron, Ohio."

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

Misbranding was alleged in that the following statements variously appearing in the labeling were false and misleading: "* * * represent the highest quality of prophylactics * * * sold for the prevention of contagious disease * * * Skin * * * Prophylactics * * * For Prevention of Disease * * * Guaranteed Five Years * * * Against Deterioration Under Normal Conditions * * * For The Prevention of Disease * * * Prophylactic."

On various dates between April 27 and June 16, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29296. Adulteration and misbranding of rubber prophylactics. U. S. v. 7½ Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 41909. Sample No. 10288-D.)

Samples of this product were found to be defective in that they contained holes.

On March 10, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 7½ gross of rubber prophylactics at Rome, Ga.; alleging that the article had been shipped in interstate commerce on or about January 8, 1938, from New York, N. Y., by J. C. Allen Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article 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 statement on the carton, "For Prevention of Disease," was false and misleading.

On April 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29297. Adulteration and misbranding of rubber prophylactics. U. S. v. 15¼ Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 41633. Sample No. 7623-D.)

Samples of this product were found to be defective in that they contained holes.

On February 4, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15¼ gross of rubber prophylactics at Hartford, Conn.; alleging that the article had been shipped in interstate commerce on or about July 23, 1937, from New York, N. Y., by Biddle Purchasing Co.; and charging adulteration and misbranding in violation of the

Food and Drugs Act. The article was labeled in part: "Tetratex. * * * L. E. Shunk, Products, Inc., Akron, Ohio."

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 in the labeling were false and misleading: "Prophylactic * * * For Medical Purposes Guaranteed Five Years Disease Preventative."

On May 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29298. Adulteration and misbranding of prophylactics. U. S. v. 11½ Gross of Prophylactics (and 1 similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 41636, 42328. Sample Nos. 7626-D, 14529-D.)

Samples of this product were found to be defective in that they contained holes.

On February 7 and May 9, 1938, the United States attorneys for the Districts of Connecticut and Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 11½ gross and 19 dozen prophylactics in various lots at Hartford, Conn., and Boston, Mass.; alleging that the article had been shipped in interstate commerce on or about November 22, 1937, and March 17, 1938, from New York, N. Y., by Woltra Co., Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

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

Misbranding was alleged in that the following statements appearing respectively in the labeling of the two lots were false and misleading: "Stoutex For Prevention of Disease" and "Supreme Quality For Prevention of Diseases."

On May 9 and July 11, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29299. Adulteration and misbranding of rubber prophylactics. U. S. v. 11 Gross of Rubber Prophylactics (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 42267, 42300, 42301. Sample Nos. 10925-D, 10930-D, 10931-D.)

Samples of this product were found to be defective in that they contained holes.

On April 4 and 28, 1938, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the district court three libels praying seizure and condemnation of 45 gross of rubber prophylactics at Louisville, Ky.; alleging that the article had been shipped in interstate commerce on or about January 3 and March 12, 1938, from Akron, Ohio, in part by Peerless Rubber Co., and in part by Peerless Rubber Sundries; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "L. E. S. Liquid Latex."

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

Misbranding was alleged in that the following statements variously appearing in the labeling of the several lots were false and misleading: "Prophylactic * * * Guaranteed Five Years * * * For the Prevention of Disease * * * Disease Preventative * * * Guaranteed 5 Yrs. * * * For Prevention of Disease."

On June 7, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29300. Adulteration and misbranding of prophylactics. U. S. v. 9 Dozen Prophylactics (and 6 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 42117, 42203, 42204, 42209, 42284, 42285, 42286, 42303, 42342. Sample Nos. 10729-D, 10730-D, 10731-D, 12532-D, 13024-D, 14531-D, 22527-D, 25009-D, 29006-D.)

Samples of this product were found to be defective in that they contained holes.

On various dates between April 2 and May 9, 1938, seven United States attorneys, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 150½ dozen