

LABEL, IN PART: (Portion) "Texide Rubber Sheaths," or "Tetratex Prophylactics."

NATURE OF CHARGE: Adulteration (both lots), Section 501 (c), the quality of the articles fell below that which they purported to possess.

Misbranding (1 lot only), Section 502 (a), the label statements "For Prevention of Venereal Disease" and "Prophylactics" were false and misleading as applied to an article containing holes.

DISPOSITION: August 15, 1946. No claimant having appeared, judgments were entered ordering the products destroyed.

2118. Adulteration and misbranding of prophylactics. U. S. v. 15 Gross, etc.
(F. D. C. No. 19635. Sample Nos. 3706-H, 3707-H.)

LIBEL FILED: April 17, 1946, Western District of Virginia; amended libel filed December 19, 1946.

ALLEGED SHIPMENT: On or about February 12, 1946, by the Crown Rubber Sundries Co., from Akron, Ohio.

PRODUCT: 15 gross and 2 gross of *prophylactics* at Pulaski, Va. Examination of 216 samples of each lot showed that 3.2 percent of one lot and 4.6 percent of the other lot were defective in that they contained holes.

LABEL, IN PART: "Texide Rubber Sheaths," or "Gold-Pak Prophylactics."

NATURE OF CHARGE: Adulteration, Section 501 (c), the articles were defective in that they contained holes.

Misbranding (Gold-Pak only), Section 502 (a), the label statement "Prophylactics * * * An aid in prevention of disease" was false and misleading.

DISPOSITION: January 10, 1947. The Crown Rubber Sundries Co. having withdrawn its answer and claim, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

DRUGS FOR HUMAN USE

2119. Misbranding of Neo-Enzymes Plain and Neo-Enzymes With Laxative. U. S. v. B. Sanders Wilson (Wilco Laboratories). Plea of guilty. Fine, \$200 and costs. (F. D. C. No. 20120. Sample Nos. 28399-H, 28400-H.)

INFORMATION FILED: August 28, 1946, Northern District of Illinois, against B. Sanders Wilson, trading as Wilco Laboratories, Chicago, Ill.

ALLEGED SHIPMENT: On or about March 30, 1945, from the State of Illinois into the State of Washington.

LABEL, IN PART: "Neo-Enzymes Plain A Nutritional Supplement," or "Neo-Enzymes With Laxative An Aid In Digesting Starch, Fats and Proteins Waste Eliminant."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements on the labels (both products) "An Aid In Digesting Starch, Fats and Proteins," (plain) "Neo-Enzymes are supplied for nutritional purposes only to replace enzymes destroyed or lost in heat preparation of foods, or eliminated by the body," and (with laxative) "Neo-Enzymes is a digestive aid," and statements in the circulars entitled "Wilco Neo-Enzymes," which accompanied the articles, were false and misleading since these statements represented, suggested, and created in the mind of the reader the impression that the articles would aid in digesting starch, fats, and proteins; that they would aid impaired digestion and the assimilation of foods; that they would be efficacious in the cure, mitigation, treatment, and prevention of malnutrition, dietary imbalance, disorders arising in the digestive tract and transmitted to various parts of the body, febrile conditions, constipation, and infections such as colds; that they would hasten convalescence from disease or operation or chronic conditions due to glandular or metabolic deficiency; that they would be of value in the treatment of over-acidity and over-alkalinity; that they would enable one to digest over-cooked cabbage; that they would be efficacious in the cure, mitigation, treatment, and prevention of gastritis, dyspepsia, intestinal putrefaction, chronic fatigue conditions, wasting diseases, acne, allergic conditions,

*See also Nos. 2102, 2105-2108, 2110, 2111, 2114, 2118.