

ALLEGED SHIPMENT: On or about October 27, 1949, from the State of New York into the State of Connecticut.

NATURE OF CHARGE: Adulteration, Section 501 (c), each capsule of the article purported and was represented to contain 4 grains of para-aminobenzoic acid as the sodium salt, whereas each capsule of the article contained less than 4 grains of para-aminobenzoic acid as the sodium salt.

Misbranding, Section 502 (a), the statement in the labeling of the article which represented and suggested that each capsule of the article contained 4 grains of para-aminobenzoic acid as the sodium salt was false and misleading.

The information alleged also that another product, namely, Calvital capsules, was adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: February 14, 1951. Pleas of guilty having been entered, the court imposed a fine of \$200 against the corporation and a fine of \$4 against the individual. The court remitted the individual's fine.

**3374. Adulteration and misbranding of prophylactics. U. S. v. 8 Gross * * *
(F. D. C. No. 30694. Sample No. 31877-L.)**

LIBEL FILED: March 12, 1951, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about June 29, 1950, by the Star Sales Co., from New Orleans, La.

PRODUCT: 8 gross of *prophylactics* at St. Louis, Mo. Examination of samples showed that 2.1% were defective in that they contained holes.

LABEL, IN PART: "Silver-Tex Manufactured by the Killian Mfg. Co., 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 "Tested * * * For your protection," "Prophylactic," and "Prophylactics" were false and misleading as applied to an article containing holes.

DISPOSITION: April 5, 1951. Default decree of condemnation and destruction.

**3375. Adulteration and misbranding of prophylactics. U. S. v. 7 Gross * * *
(F. D. C. No. 30667. Sample Nos. 32060-L, 32062-L.)**

LIBEL FILED: February 27, 1951, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about October 5, 1950, and January 24, 1951, by the Dean & Adelsperger Co., from Kansas City, Mo.

PRODUCT: 7 gross of *prophylactics* at Little Rock, Ark. Examination of samples showed that 2.6 percent were defective in that they contained holes.

LABEL, IN PART: "Genuine Sekurity Mfd. by Dean Rubber Mfg. Co. N. Kansas City, Mo."

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 "Sekurity Prophylactics * * * Scientifically tested for your protection * * * an aid in preventing venereal diseases" were false and misleading as applied to an article containing holes.

DISPOSITION: March 27, 1951. Default decree of condemnation and destruction.