

9515. Rubber prophylactics. (F.D.C. No. 42920. S. Nos. 32-768 P, 32-770/3 P, 32-775 P.)

QUANTITY: 313 gross ctns., each containing 4 ctns. of 12 3-unit tins each, and 49 cases, each containing 50 gross, at New York, N.Y., in possession of Goodwear Rubber Co., Inc.

SHIPPED: Between 8-15-58 and 2-25-59, from Akron, Ohio, by Killashun Sales Div. of Akwell Corp.

LABEL IN PART: (Tin) "Three Knights * * * 1/4 Doz. * * * distributed by Goodwear Rubber Co." and "Chariots 1/4 Doz. * * * distributed by Goodwear Rubber Co., New York, N.Y.," (ctn.) "Three Knights" or "AXNE Chariots Tubed Killian."

RESULTS OF INVESTIGATION: Examination showed that between 1.4 percent and 16 percent of the article contained holes. Inspection of the plant of the Goodwear Rubber Co. showed that the article in the 313-ctn. lot had been repacked from bulk stock shipped as described above and had been damaged in the course of the repacking operation.

LIBELED: 4-17-59, S. Dist. N.Y.

CHARGE: 501(c)—the quality of the 49-case lot, when shipped, and the quality of the 313-ctn. lot, while held for sale, fell below that which they purported and were represented to possess; and 502(a)—the label statements "Sold For Prevention of Disease Only" and "For Protection Against Disease" were false and misleading.

DISPOSITION: 5-13-59. Default—destruction.

5916. Rubber prophylactics. (F.D.C. No. 42730. S. Nos. 10-156 P.)

QUANTITY: 48 12-pkg. ctns., each pkg. containing 12 prophylactics, at Rochester, N.Y.

SHIPPED: 12-9-58 and 1-6-59, from New York, N.Y., by Goodwear Rubber Co.

LABEL IN PART: (Pkg.) "Texide Prophylactics * * * Mfg. by L. E. Shunk Latex Prod. of the Akwell Corp. Akron, Ohio."

RESULTS OF INVESTIGATION: An examination of 150 units showed that 5.3 percent were defective in that they contained holes.

LIBELED: 3-6-59, W. Dist. N.Y.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it purported to possess; and 502(a)—the label statement "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: 4-13-59. Default—destruction.

5917. Rubber prophylactics. (F.D.C. No. 42879. S. No. 50-790 P.)

QUANTITY: 3 bulk drums containing a total of 1,000 gross *rubber prophylactics* at Chicago, Ill.

SHIPPED: 2-18-59, from Carolina, Puerto Rico, by De Caribe Rubber Co.

LABEL IN PART: (Prophylactic) "Protex * * * National Sanitary Sales."

RESULTS OF INVESTIGATION: Examination showed that 1.4 percent of the article contained holes.

LIBELED: 3-10-59, N. Dist. Ill.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it purported to possess; and 502(a)—the label statement "An aid for the prevention of venereal disease" was false and misleading.