

6879. Rubber prophylactics. (F.D.C. No. 46763. S. Nos. 19-772/3 T.)

QUANTITY: 110 cartons, each containing 144 prophylactics in pkgs. of 2 each, at Dallas, Tex.

SHIPPED: 10-30-61, from Kansas City, Mo., by M&M Rubber Co.

LABEL IN PART: (Pkg.) "Spartans Prophylactics Package of Two M&M Rubber Co., K.C. 8, Mo. Sold For The Prevention of Disease Only." and (pkg.) "Tops Prophylactics Package of Two * * * M&M Rubber Co., Kansas City 8, Mo."

RESULTS OF INVESTIGATION: Examination showed that 3, or 2.0 percent of 149 prophylactics (Spartans), and 4, or 1.78 percent of 224 prophylactics (Tops), were defective in that they contained holes.

LIBELED: Between 11-29-61 and 1-18-62, N. Dist. Tex.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it was purported to possess; and 502(a)—the label statements (Spartans) "Sold For The Prevention of Disease Only" and (Tops) "Prophylactics" were false and misleading as applied to articles containing holes.

DISPOSITION: 1-18-62. Default—destruction.

6880. Rubber prophylactics. (F.D.C. No. 46167. S. No. 47-621 R.)

QUANTITY: 4 cases, 50-gross ctns. each, containing boxes of 3 units, at Detroit, Mich.

SHIPPED: 4-20-61, from Akron, Ohio, by March Rubber & Plastics Co.

LABEL IN PART: (Box) "Checks Deluxe Thin Prophylactics Package of Three Sold and Intended For Prevention of Disease Only March Rubber and Plastics Co., Inc., Akron, Ohio."

RESULTS OF INVESTIGATION: Examination of 190 prophylactics showed that 1.6 percent contained holes.

LIBELED: On or about 8-14-61, E. Dist. Mich.

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

DISPOSITION: 9-20-61. Default—destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

6881. Pile-Aids tablets. (F.D.C. No. 43211. S. No. 9-790 P.)

INFORMATION FILED: 7-22-59, W. Dist. Pa., against Nutrition Square, Inc., t/a Pile-Aids Co., Pittsburgh, Pa.

SHIPPED: 9-1-58, from Pennsylvania to Ohio.

LABEL IN PART: (Btl.) "Pile-Aids Tablet * * * This exclusive imported herbal compound contains: Cyclamen Europaeum Elecampane (Inula Heleniom) Sulphur Distributed by Pile-Aids Company Pittsburgh 12, Pa."

ACCOMPANYING LABELING: Circular entitled "Instructions for Taking Pile-Aids Tablets" and a circular entitled "Information for Pile Sufferers."

*See also Nos. 6861, 6863-6866, 6868-6873, 6875-6880.