

and animal membrane prophylactics in various lots at Miami, Fla.; Denver, Colo.; and New York, N. Y.; alleging that the articles had been shipped in interstate commerce on January 29, March 1, and May 2, 1938, from Atlanta, Ga., by the Olympia Laboratory; and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part variously: "Excello's," "Pickaniny," or "Amazons."

They were alleged to be adulterated in that their strength fell below the professed standard or quality under which they were sold.

Misbranding was alleged in that the following statements variously appearing in the labeling of the several lots were false and misleading: (Excello's) "The perfected latex * * * For Prevention of Disease"; (Pickaniny) "Of the best Grade * * * Highest Quality. The merchandise which you will find in this package is made of the very best material. * * * Air tested and guaranteed 100% perfect * * * For the prevention of contagious diseases"; (Amazons) "Air Tested 100% Perfect * * * Choicest grade * * * Highest Quality * * * the prevention of contagious diseases * * * made of the very best material."

On May 27, and June 7 and 11, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29047. Adulteration and misbranding of rubber prophylactics. U. S. v. 2 Gross, et al., of Rubber Prophylactics (and one similar action). Default decrees of condemnation and destruction. (F. & D. Nos. 41987 to 41990, incl., 42006. Sample Nos. 8739-D to 8742-D, incl., 12093-D, 12094-D.)

Examination of samples of this product showed that some of them were defective in that they contained holes.

On March 19 and 21, 1938, the United States attorneys for the Eastern District of Michigan and the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 6 gross of rubber prophylactics at Flint, Mich., and 48 gross of the product at New Haven, Conn.; alleging that the articles had been shipped in interstate commerce on or about March 4 and 7, 1938, from New York, N. Y., by the Aaronoff Rubber Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled variously in part: "Kamelskin," or "X-Ray," "Gold-Tip," or "Kingtex."

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, variously appearing on the labels of the several lots, were false and misleading: (Kamelskin) "Skin * * * Prophylactic * * * For Prevention of Disease * * * Guaranteed Five Years * * * age defying As an added protection to health Kamelskin is triple tested"; (X-Ray) "Disease Preventative Five Years Guarantee * * * Triple Air Tested"; (Gold-Tip) "Safest Prophylactic Guaranteed Five Years Triple Air Tested Disease Preventative"; (Kingtex) "Disease Preventative Guaranteed Five Years Triple Air Tested."

On May 4 and 9, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29048. Adulteration and misbranding of Astra-D. U. S. v. 4 Cans of Astra-D. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. No. 40416. Sample No. 15197-C.)

This product contained fewer units of vitamin D per gram than represented on its label.

On October 1, 1937, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four cans of Astra-D at Milwaukee, Wis.; alleging that the article had been shipped in interstate commerce on or about July 26, 1937, from Los Angeles, Calif., by Lancaster, Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Astra-D * * * Lancaster, Inc. * * * Los Angeles, Calif."

It was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, namely, "Vitamin D * * * Twenty Thousand U S P Units per Gram," since it did not contain 20,000 U S P units of vitamin D per gram, but did contain a much less amount,