

Misbranding was alleged in that the following statements on the labels were false and misleading: "Pro-Tek," "Disease Preventative," "Prophylactic," and "For Prevention of Disease."

On August 22, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29428. Adulteration and misbranding of rubber prophylactics. U. S. v. 5 Gross of Rubber Prophylactics (and two similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 41790, 41870, 42450. Sample Nos. 9815-D, 16922-D, 16929-D, 16930-D.)

Samples of this product were found to be defective in that they contained holes.

On or about February 19, March 4, and May 24, 1938, the United States attorneys for the Eastern District of Virginia and the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in their respective district courts three libels praying seizure and condemnation of 200 gross of rubber prophylactics in various lots at Norfolk, Va., and Harrisburg, Pa.; alleging that the article had been shipped in interstate commerce on or about December 11 and 14, 1937, and March 12, 1938, from New York, N. Y., by Goodwear Rubber Co., Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Silverpac," "Tetratex," or "Three Knights."

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 in the several labels were false and misleading: (Silverpac) "Silverpac is non-porous Smoke Tested * * * Guaranteed Five Years Your Health Demands Silverpac This is your Seal of Protection For Prevention of Disease Disease Preventative"; (Tetratex) "For Prevention of Disease Prophylactic Guaranteed Five Years"; (Three Knights) "For perfect masculine Hygiene prophylactic Guaranteed for 5 years hole proof triple tested For prevention of disease."

On May 11 and June 15, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29429. Adulteration and misbranding of kamala compound. U. S. v. 18 Bags of Kamala Compound, et al. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. No. 42455. Sample No. 15792-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims and false representations regarding its composition.

On June 1, 1938, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 bags of kamala compound at Omaha, Nebr.; alleging that the article had been shipped in interstate commerce on or about September 10, 1937, from Peoria, Ill., by Vitamineral Products Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Kamala Compound * * * Manufactured by Vitamineral Products Co. Peoria, Illinois."

Analysis of a sample of the article showed that it consisted essentially of ground plant material including kamala, nicotine, ferrous sulphate, calcium carbonate, and castor oil, and that it contained no copper sulphate.

The article was alleged to be adulterated in that its strength or purity fell below the professed standard under which it was sold, namely, "Ingredients * * * Copper Sulphate," since it contained no copper sulphate.

Misbranding was alleged in that the following statements in the labeling falsely and fraudulently represented the curative and therapeutic effects of the article: "For the treatment of animals affected with large round worms and for the treatment of poultry affected * * * or tape worms * * * For Swine * * * For Dairy Cows Beef Cattle—Mix this product at the ratio of four to six pounds (according to how badly animals are infested) with each 100 pounds of grain, mash or slop * * * For Horses and Sheep * * * For Poultry * * * For Dogs, Foxes, Small Animals * * * For small animals convalescing from distemper, malnutrition or any other