

lactics \* \* \* The Modern Prophylactics \* \* \* The Dependable Prophylactic \* \* \* Saf-T-Skin \* \* \* To Prevent Disease \* \* \* Guaranteed Five Years \* \* \* Disease Preventative"; (Rx 97) "The Reliable Prophylactic \* \* \* Guaranteed Five Years \* \* \* To Prevent Disease \* \* \* For Prevention Of Disease \* \* \* Guaranteed 100 Percent Air Tested."

On June 7, November 17 and 19, and December 12, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

**30045. Adulteration and misbranding of prophylactics. U. S. v. 9 Gross of Prophylactics (and 1 similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 44115, 44276. Sample Nos. 5139-D, 11968-D.)**

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

On October 19 and November 3, 1938, the United States attorney for the District of Puerto Rico, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 9 gross of prophylactics at San Juan, P. R., and 6 gross at Aguadilla, P. R.; alleging that the article had been shipped in interstate commerce in part on or about April 30, 1938, and in part on or about August 18, 1938, by the J. Mas Co. from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled "Rajah" or "Majestic."

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 appearing in the labeling were false and misleading: (Rajah) "Guaranteed 5 years disease preventative"; (Majestic) "Made from the choicest grade of materials obtainable \* \* \* and represent the highest quality of prophylactics. \* \* \* for the prevention of contagious diseases."

On November 17 and December 12, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

**30046. Adulteration and misbranding of prophylactics. U. S. v. 25 Gross, 50 Gross, and 42 Gross of Prophylactics. Default decree of condemnation and destruction. (F. & D. Nos. 42430, 42431, 42432. Sample Nos. 24341-D, 24345-D, 24347-D.)**

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

On May 20, 1938, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 117 gross of prophylactics at Columbus, Ohio; alleging that the article had been shipped in interstate commerce within the period from on or about February 8, 1938, to on or about March 7, 1938, by the International Distributors from Memphis, Tenn.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled variously: "Genuine Liquid Latex"; "Super Test Liquid Latex"; "Nu-Pak."

Adulteration was alleged in that the strength of the article fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements in the labeling were false and misleading: (Genuine Liquid Latex) "Prophylactic Guaranteed Five Years For the prevention of Disease"; (Super Test Liquid Latex) "Super test \* \* \* Guaranteed for five years Sold for the prevention of disease"; (Nu-Pak) "Guaranteed for Five Years \* \* \* For The Prevention of Disease."

On August 31, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30047. Adulteration and misbranding of prophylactics. U. S. v. 2¾ Gross of Rubber Prophylactics (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 44023, 44034, 44292. Sample Nos. 24974-D, 24975-D, 24976-D, 45012-D.)**

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

On or about October 1, October 6, and November 7, 1938, the United States attorney for the Southern District of Florida, acting upon reports by the Secre-

tary of Agriculture, filed in the district court libels praying seizure and condemnation of 13¾ gross of prophylactics in various lots at Tampa, Orlando, and St. Petersburg, Fla.; alleging that the article had been shipped in interstate commerce within the period from on or about September 10 to on or about October 5, 1938, by A. G. Vining from Atlanta, Ga.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Hygiene" or "Pro-Medico."

Adulteration was alleged in that the strength of the article fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements appearing in the labeling were false and misleading; (Hygiene) "Protectors \* \* \* Guaranteed 2 years \* \* \* For Prevention of Disease \* \* \* Selected Airtested and Guaranteed to be free from pinholes, blisters or other imperfections"; (Pro-Medico) "For Medical Purposes \* \* \* Tested \* \* \* Guaranteed Five Years \* \* \* Triple Air Tested."

On November 9, November 29, and December 17, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

**30048. Adulteration and misbranding of prophylactics. U. S. v. 228 Prophylactics (and 4 similar seizure actions). Default decrees of condemnation and destruction.** (F. & D. Nos. 43652, 43653, 44323, 44324, 44403. Sample Nos. 26782-D, 26783-D, 34118-D, 34119-D, 38975-D.)

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

On September 2 and 9, and November 23, 1938, the United States attorneys for the Southern District of New York, the District of Maryland, and the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 600 prophylactics at New York, N. Y., 32 dozen at Baltimore, Md., and 17 dozen prophylactics at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce within the period from on or about June 17 to on or about November 4, 1938, by the Akron Drug & Sundries Co. from Akron, Ohio; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Silver-Tex Supreme Goldbeaters" or "Texide Goldbeaters."

Adulteration was alleged in that the strength of the article fell below the professed standard or quality under which it was sold.

Misbranding was alleged in that the following statements in the labeling were false and misleading: (Silver-Tex Supreme Goldbeaters) "Supreme \* \* \* Specially Selected \* \* \* made from the choicest grade of materials obtainable \* \* \* represent the highest quality \* \* \* for the prevention of contagious diseases \* \* \* for the prevention of disease \* \* \* the perfect prophylactic"; (Texide Goldbeaters) "Guaranteed Five Years \* \* \* made from the choicest grade of materials obtainable \* \* \* and represent the highest quality \* \* \* for the prevention of contagious diseases \* \* \* for the prevention of disease."

On September 26 and December 15, 1938, and January 7, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

**30049. Adulteration and misbranding of prophylactics. U. S. v. 14½ Gross of Prophylactics (and 2 similar seizure actions). Default decrees of condemnation and destruction.** (F. & D. Nos. 42357, 44246, 44504. Sample Nos. 22832-D, 27132-D, 27134-D, 59247-D.)

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

On May 18, October 29, and December 14, 1938, the United States attorneys for the District of Oregon and the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 14½ gross of prophylactics at Portland, Oreg., and 5½ gross of the product at New York, N. Y.; alleging that the article had been shipped in interstate commerce within the period from on or about March 16, 1938, to on or about November 29, 1938, by Stowall & Co. from San Francisco, Calif.; and charging adulteration and misbranding in