

Food and Drugs Act. The article was labeled in part: "Tetratex * * * L. E. Shunk Latex Products, Inc., Akron, Ohio."

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 labeling were false and misleading: "The Modern Prophylactic * * * for Medical Purposes" and "Guaranteed Five Years Disease Preventative."

On May 17, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30631. Adulteration and misbranding of prophylactics. U. S. v. 72 and 19 Envelopes containing Prophylactics (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44381, 44382, 44707, 44708. Sample Nos. 29594-D, 29595-D, 45722-D, 45724-D.)

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

On November 18, 1938, and January 24, 1939, the United States attorneys for the Northern District of Ohio and the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 15 $\frac{1}{4}$ gross of prophylactics at Akron, Ohio, and 317 $\frac{1}{2}$ gross of prophylactics at Chicago, Ill.; alleging that the articles had been shipped in interstate commerce within the period from on or about July 15 to on or about December 21, 1938, by W. H. Reed & Co. from Atlanta, Ga.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part variously: "Bachelor Brand," "Crest," "Black and Gold," or "Genuine United Latex."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

The article was alleged to be misbranded in that the following statements in the labeling were false and misleading: (Bachelor brand) "Double Selected * * * Supreme * * * For the prevention of disease"; "Made from the choicest grade of materials obtainable * * * represent the highest quality of Goldbeaters * * * for the prevention of contagious diseases * * * The merchandise which you will find in this package is made of the very best material"; (Crest brand) "Made from the choicest grade of materials obtainable * * * represent the highest quality of Goldbeaters * * * For the prevention of contagious diseases * * * For the prevention of disease"; (United Latex) "Genuine United Latex Prophylactics * * * For Prevention of Disease"; (Black and Gold) "Used For the Prevention of Disease."

On March 14 and April 7 and 10, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30632. Adulteration and misbranding of prophylactics. U. S. v. Seven Gross Prophylactics (and four other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44804, 44805, 45191, 45192, 45193. Sample Nos. 44808-D, 44809-D, 45165-D, 45166-D, 45167-D.)

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

On or about February 9 and May 17, 1939, the United States attorneys for the Western District of North Carolina and the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 11 $\frac{1}{12}$ gross of prophylactics at Morganton, N. C., and 103 $\frac{1}{4}$ dozen prophylactics in various lots at La Belle, Punta Gorda, and Arcadia, Fla.; alleging that the article had been shipped in interstate commerce within the period from on or about January 11 to on or about March 24, 1939, 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: "Queen-Tex" or "Pro-Medico."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

It was alleged to be misbranded in that the following statements appearing on the carton were false and misleading: (Queen-Tex) "Disease Preventative"

and "Guaranteed 5 Years"; (Pro-Medico) "Tested," "For Medical Purposes Guaranteed Five Years," and "Triple Air Tested."

On April 8 and May 15, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30633. Adulteration and misbranding of prophylactics. U. S. v. 37 Gross of Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 44733. Sample Nos. 45732-D, 45733-D.)

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

On January 27, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 gross of prophylactics at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 5, 1939, from Akron, Ohio, by Killashun Sales Division; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Liquid Latex."

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: "Guaranteed Five Years" and "For Prevention of Disease."

On March 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30634. Adulteration and misbranding of prophylactics. U. S. v. 300 Gross of Prophylactics. Consent decree of condemnation and destruction. (F. & D. No. 44960. Sample No. 45767-D.)

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

On March 10, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 300 gross of prophylactics at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about January 24, 1939, from New York, N. Y., by Standard Latex Products Corporation; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article 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 statements "Pro-Tek" and "Pro-Tek Prophylactic," appearing in the labeling, were false and misleading.

On March 30, 1939, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

30635. Adulteration and misbranding of prophylactics. U. S. v. 4 1/6 Gross and 2 1/2 Gross of Prophylactics. Default decrees of condemnation and destruction. (F. & D. Nos. 44904, 45020. Sample Nos. 38865-D, 50119-D.)

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

On February 24 and March 4, 1939, the United States attorneys for the Eastern District of Missouri and the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 4 1/6 gross of prophylactics at St. Louis, Mo., and 2 1/2 gross of prophylactics at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about January 27 and February 4, 1939, from Chicago, Ill., by Frank G. Karg; and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion was labeled in part "Pall Mall."

The article 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 label statements, "Made From The Highest Grade Materials Obtainable * * * For Prevention of Disease," were false and misleading.