

New York, N. Y.; Chicago, Ill.; and New Orleans, La.; and charging that it was adulterated and that portions were also misbranded. Certain lots were labeled in part: "Saf-T-Way" or "Zephyr." One lot bore no brand name.

All lots were alleged to be adulterated in that their quality fell below that which they purported or were represented to possess.

The Saf-T-Way brand was alleged to be misbranded in that representations in the labeling that it was a safe prophylactic and was air-blown-tested, were false and misleading.

On February 8, March 8 and 21, and May 27, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**274. Adulteration and misbranding of prophylactics. U. S. v. 36 Gross of Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 1629. Sample No. 99-D.)**

On March 14, 1940, the United States attorney for the Western District of Texas filed a libel against 36 gross of prophylactics at El Paso, Tex., alleging that the article had been shipped in interstate commerce on or about March 10, 1939, by the World Merchandise Co. from New York, N. Y.; and charging that it was adulterated and that a portion was also misbranded. The article was variously labeled in part: "Royal Crown," "Gold Town," "Silver Town," or "Pro-Tek."

It was alleged to be adulterated in that its quality fell below that which it purported or was represented to possess.

The product labeled "Silver-Town" also was alleged to be misbranded in that the representation in the labeling that it was a disease preventative was false and misleading.

On April 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**275. Adulteration and misbranding of prophylactics. U. S. v. 22¼ Gross and 19 Gross of Prophylactics. Default decrees of condemnation and destruction. (F. D. C. Nos. 1574, 2000. Sample Nos. 66554-D, 1968-E.)**

On or about March 7 and May 22, 1940, the United States attorneys for the Western District of Missouri and the Eastern District of Virginia filed libels against 22¼ gross of prophylactics at Kansas City, Mo., and 19 gross of prophylactics at Richmond, Va., alleging that the article had been shipped in interstate commerce on or about January 22 and March 20, 1940, by the World Merchandise Exchange from New York, N. Y.; and charging that it was adulterated and that one lot was also misbranded. One lot was labeled in part: "Nutex Skins \* \* \* Nutex Co., Philadelphia, Pa." The other lot was labeled "Silver Bond."

Adulteration of both lots was alleged in that the quality of the article fell below that which it was purported or was represented as possessing.

The lot designated "Nutex" was alleged to be misbranded in that its labeling bore representations that it was absolutely perfect, would afford protection, and would be efficacious for the prevention of disease, which were false and misleading.

On June 25 and 28, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.