

9515. Rubber prophylactics. (F.D.C. No. 42920. S. Nos. 32-768 P, 32-770/3 P, 32-775 P.)

QUANTITY: 313 gross ctns., each containing 4 ctns. of 12 3-unit tins each, and 49 cases, each containing 50 gross, at New York, N.Y., in possession of Goodwear Rubber Co., Inc.

SHIPPED: Between 8-15-58 and 2-25-59, from Akron, Ohio, by Killashun Sales Div. of Akwell Corp.

LABEL IN PART: (Tin) "Three Knights * * * 1/4 Doz. * * * distributed by Goodwear Rubber Co." and "Chariots 1/4 Doz. * * * distributed by Goodwear Rubber Co., New York, N.Y.," (ctn.) "Three Knights" or "AXNE Chariots Tubed Killian."

RESULTS OF INVESTIGATION: Examination showed that between 1.4 percent and 16 percent of the article contained holes. Inspection of the plant of the Goodwear Rubber Co. showed that the article in the 313-ctn. lot had been repacked from bulk stock shipped as described above and had been damaged in the course of the repacking operation.

LIBELED: 4-17-59, S. Dist. N.Y.

CHARGE: 501(c)—the quality of the 49-case lot, when shipped, and the quality of the 313-ctn. lot, while held for sale, fell below that which they purported and were represented to possess; and 502(a)—the label statements "Sold For Prevention of Disease Only" and "For Protection Against Disease" were false and misleading.

DISPOSITION: 5-13-59. Default—destruction.

5916. Rubber prophylactics. (F.D.C. No. 42730. S. Nos. 10-156 P.)

QUANTITY: 48 12-pkg. ctns., each pkg. containing 12 prophylactics, at Rochester, N.Y.

SHIPPED: 12-9-58 and 1-6-59, from New York, N.Y., by Goodwear Rubber Co.

LABEL IN PART: (Pkg.) "Texide Prophylactics * * * Mfg. by L. E. Shunk Latex Prod. of the Akwell Corp. Akron, Ohio."

RESULTS OF INVESTIGATION: An examination of 150 units showed that 5.3 percent were defective in that they contained holes.

LIBELED: 3-6-59, W. Dist. N.Y.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it purported to possess; and 502(a)—the label statement "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: 4-13-59. Default—destruction.

5917. Rubber prophylactics. (F.D.C. No. 42879. S. No. 50-790 P.)

QUANTITY: 3 bulk drums containing a total of 1,000 gross *rubber prophylactics* at Chicago, Ill.

SHIPPED: 2-18-59, from Carolina, Puerto Rico, by De Caribe Rubber Co.

LABEL IN PART: (Prophylactic) "Protex * * * National Sanitary Sales."

RESULTS OF INVESTIGATION: Examination showed that 1.4 percent of the article contained holes.

LIBELED: 3-10-59, N. Dist. Ill.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it purported to possess; and 502(a)—the label statement "An aid for the prevention of venereal disease" was false and misleading.

DISPOSITION: 3-27-59. Consent—claimed by Dean Rubber Mfg. Co., Kansas City, Mo. 398 lbs. were reconditioned and 10 lbs. were segregated and destroyed.

5918. Rubber prophylactics. (F.D.C. No. 42842. S. No. 47-157 P.)

QUANTITY: 619 gross at Chicago, Ill., in possession of National Sanitary Sales, Inc.

SHIPPED: 9-12-58, from New Orleans, La., by De Caribe Rubber Co., Carolina, Puerto Rico.

LABEL IN PART: (Bulk stock) "Protex * * * Product of National Sanitary Sales, Chicago 45, Ill.," (ctn.) "Protex * * * Prophylactics * * * Package of Two * * * A Product of National Sanitary Sales, Inc., Chicago 45, Ill."

RESULTS OF INVESTIGATION: Examination showed that 1.6 percent of the article contained holes.

The portion of the article in cartons was repackaged by the dealer from bulk stock shipped as described above.

LIBELED: 2-16-59, N. Dist. Ill.

CHARGE: 501(c)—when shipped and while held for sale, the quality of the article fell below that which it purported to possess.

DISPOSITION: 3-11-59. Consent—claimed by Dean Rubber Mfg. Co., Kansas City, Mo. Segregated; 10 lbs. destroyed.

5919. Clinical thermometers. (F.D.C. No. 42839. S. No. 36-118 P.)

QUANTITY: 538 thermometers at Philadelphia, Pa.

SHIPPED: 12-23-58, from New York, N.Y., by Chase Mfg. Co.

LABEL IN PART: (Envelope) "Clinical Thermometer tested and certified to comply with CS 1-52 Stubby Oral."

LIBELED: 2-12-59, E. Dist. Pa.

CHARGE: 501(c)—when shipped, the quality of the article fell below that which it was purported and represented to possess since it did not give accurate readings; and 502(a)—the label statement "tested and certified to comply with CS 1-52" was false and misleading.

DISPOSITION: 3-25-59. Consent—claimed by Chase Mfg. Co. Segregated; 221 thermometers destroyed.

DRUGS FOR VETERINARY USE

5920. Stockade procaine penicillin. (F.D.C. No. 42302. S. No. 26-482 P.)

QUANTITY: 20 10-lb. bags at Des Moines, Iowa.

SHIPPED: 7-15-58, from Pittsburg, Kans., by Harvest Brand, Inc.

LIBELED: 11-14-58, S. Dist. Iowa.

CHARGE: 501(c)—the strength of the article, when shipped and while held for sale, differed from that which it purported and was represented to possess since its label claimed that the article contained .7938 grams of procaine penicillin (equivalent to .445 grams of crystalline penicillin) per pound, whereas the article contained a significantly lesser amount of penicillin potency; and 502(a)—the label statement "Active Drug Ingredient: .7938 gms. or 793,800 units of Procaine Penicillin per pound. (Equivalent to .445 gms. crystalline penicillin G Master Standard)" was false and misleading.

DISPOSITION: 12-24-58. Default—destruction.