

**29035. Adulteration and misbranding of rubber prophylactics. U. S. v. 60 Gross of Rubber Prophylactics (and one similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 41588, 41789. Sample Nos. 7610-D, 16921-D.)**

Examination of samples of this product showed that some of them were defective in that they contained holes.

On February 2, 1938, and on or about February 19, 1938, the United States attorneys for the District of Connecticut and the Eastern District of Virginia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 60 gross of rubber prophylactics at New Haven, Conn., and 5 gross of the product at Norfolk, Va.; alleging that the article had been shipped in interstate commerce on or about October 25 and December 10, 1937, from New York, N. Y.—that one lot had been shipped by Joe Jacobs and the other lot by Jos. Jacobs; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Arrow Brand" or "Pure Tex."

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, "Prophylactic Guaranteed For Five Years \* \* \* 100% safe," appearing on the labels of the Arrow brand, and "Excellent Quality" and "Guaranteed Five Years \* \* \* Air Tested \* \* \* For Prevention of Diseases," appearing on the labels of the Pure Tex brand, were false and misleading.

On May 11 and June 16, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**29036. Adulteration and misbranding of Septol Hydrogen Peroxide. U. S. v. 273 Bottles of Hydrogen Peroxide, et al. (and one similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 42118, 42119. Sample Nos. 23412-D, 23413-D, 23416-D, 23417-D.)**

This product contained less hydrogen peroxide (dioxide) than declared.

On April 6, 1938, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 1,096 bottles of hydrogen peroxide at Seattle, Wash.; alleging that the article had been shipped in interstate commerce on various dates between October 15, 1937, and March 14, 1938, from Hollywood, Calif., by the Studio Cosmetic Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

Examinations of samples showed that the articles contained 2 percent of hydrogen peroxide (dioxide).

The article was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, "Hydrogen Dioxide 3%," in one case, and "Hydrogen Peroxide \* \* \* Active Ingredient  $H_2O_2$  3.6%," in the other case, since it did not contain 3 percent of hydrogen dioxide in the former instance or 3.6 percent of hydrogen peroxide in the latter instance, but did contain smaller amounts.

The article was alleged to be misbranded in that the statements, "Hydrogen Dioxide 3%" and "This preparation guaranteed to be full strength and to meet all requirements of the U. S. P.," on the label of the former lot, "This preparation guaranteed to be full strength and to meet all requirements of the U. S. P. Active ingredient  $H_2O_2$  3.6%," on the label of the latter lot, were false and misleading when applied to an article which did not meet all requirements of the United States Pharmacopoeia and which contained in the first instance less than 3 percent of hydrogen dioxide and in the latter instance less than 3.6 percent of hydrogen peroxide.

On June 23, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**29037. Adulteration and misbranding of sandalwood oil. U. S. v. 16 Boxes of Sandalwood Oil (and one similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 41922, 41923, 41930, 41931. Sample Nos. 1596-D, 1597-D, 9623-D, 9624-D.)**

This product was sold under a name recognized in the United States Pharmacopoeia but fell below the standard laid down therein. Portions of the capsules contained less than the amounts by volume declared on the label.