On March 31 and April 29, 1938, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 156½ gross of rubber prophylactics at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on various dates between April 25, 1937, and January 28, 1938, from Akron, Ohio, by Akron Drug & Sundries Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, variously: "Silver-Tex," "Golden Pheasant," "Majestic," "Gold-Pak," or "Musketeers."

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 on the several labels were false and misleading: (Silver-Tex) "Super Fine," "For the Prevention of Contagious Disease," "For Prevention of Disease," "Disease Preventative," "Superior Non-Deteriorating," "Guaranteed 5 Years," "Health Protection," "For Prevention of Diseases"; (Golden Pheasant) "The finest prophylactics," "For the Prevention of Disease," "Guaranteed 5 Years," "For the Prevention of Contagious Disease," "Guaranteed Five Years," "For Prevention of Disease"; (Gold-Pak) "For your Protection," "For Prevention of Disease," "Guaranteed Five Years"; (Musketeers) "Positive Protection," "Guaranteed Five Years," "100% Perfect," "For the Prevention of Contagious Diseases," "For Prevention of Disease."

On May 12 and 24, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29436. Misbranding of Miracle Latex Bandage. U. S. v. 420 Cartons of Miracle Latex Bandage. Default decree of condemnation and destruction. (F. & D. No. 42331. Sample No. 17886-D.)

This product was represented to be sterile but was contaminated with viable micro-organisms.

On May 7, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 420 cartons of Miracle Latex Bandage at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about April 1, 1938, from Portland, Oreg., by Michel Sales Co.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Miracle Latex Bandage * * * Miracle Sales Co. Yelm Washington."

It was alleged to be misbranded in that the statement in the circular, "Miracle Bandage * * * Is made from pure Latex * * * the Latex is wrapped in aseptic gauze, both the Latex and Gauze are sterilized for the protection of the user," was false and misleading when applied to an article that was not sterile but was contaminated with viable micro-organisms.

On August 20, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29437. Misbranding of Anti-Cholelith. U. S. v. 21 Bottles of Anti-Cholelith. Default decree of condemnation and destruction. (F. & D. No. 42987. Sample No. 15938-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On June 29, 1938, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 bottles of Anti-Cholelith at Oklahoma City, Okla.; alleging that the article had been shipped in interstate commerce on or about May 2, 1938, from Springfield, Mo., by Leon Chemical Co.; and charging misbranding in violation of the Food and Drugs Act.

Analysis of the article showed that it consisted essentially of water, glycerin, phosphoric acid, and extracts of plant drugs including hydrastis and cinchona.

The article was alleged to be misbranded in that statements in the labeling, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective in the treatment of gallstones, abnormal conditions of the bile, and gall-bladder trouble; and as a nerve and tissue builder.