

On April 13 and 14, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30636. Adulteration and misbranding of prophylactics. U. S. v. 17 Dozen Prophylactics (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44558, 44777, 45247. Sample Nos. 29420-D, 43177-D, 45726-D, 45753-D.)

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

On December 21, 1938, February 6, and April 29, 1939, the United States attorneys for the Northern District of Ohio, the Northern District of Illinois, and the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 17 dozen prophylactics at Cleveland, Ohio, 12½ gross of prophylactics at Chicago, Ill., and 1½ gross of prophylactics at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce within the period from on or about November 21, 1938, to on or about January 18, 1939, by Youngs Rubber Corporation from New York, N. Y.; and charging adulteration with respect to two of the shipments, and adulteration and misbranding with respect to one shipment, in violation of the Food and Drugs Act. The article was labeled in part "Naturalamb Skins."

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

One shipment was alleged to be misbranded in that the statement "For Prevention of Disease," stamped on the article, was false and misleading.

On March 14, April 6, and May 31, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30637. Misbranding of gauze bandages. U. S. v. 48 Dozen and 120 Dozen Gauze Bandages. Default decree of condemnation and destruction. (F. & D. No. 45422. Sample Nos. 51256-D, 51257-D.)

This product, which had been shipped in interstate commerce, and remained unsold and in the original packages at the time of examination, was found to be contaminated with viable micro-organisms.

On May 26, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 168 dozen packages of gauze bandage at Philadelphia, Pa.; alleging that the article had been shipped on or about December 27, 1938, and April 12, 1939, by the Meditex Supply Co. from New York, N. Y.; and charging misbranding in violation of the Food and Drugs Act.

Misbranding was alleged in that the statement "Doctors and Nurses" and the design of a nurse and a cross, appearing on the labels, were false and misleading since they created the impression that the article was sterile and safe for use; whereas it was not sterile but was contaminated with viable micro-organisms.

On June 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30638. Misbranding of Oxylin Greaseless Ointment. U. S. v. 14 Jars and 25 Jars of Oxylin Greaseless Ointment. Default decree of condemnation and destruction. (F. & D. No. 44623. Sample Nos. 27189-D, 27190-D.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On January 7, 1939, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of fourteen 2-ounce jars and twenty-five 1-ounce jars of Oxylin Greaseless Ointment at Binghamton, N. Y.; alleging that the article had been shipped in interstate commerce within the period from on or about September 17, to on or about October 30, 1936, by Evons Laboratories, Drexel Hill, Pa.; and charging misbranding in violation of the Food and Drugs Act as amended.