**2680. Adulteration and misbranding of prophylactics. U. S. v. 17 Cartons * * *.** (F. D. C. No. 26435. Sample No. 48232–K.)

LIBEL FILED: January 31, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 24, 1948, by the National Hygienic Products Co., from Akron, Ohio.

PRODUCT: 17 cartons, each containing 48 packages of 3 *prophylactics* each at Philadelphia, Pa. Examination of samples showed that 3.8 percent were defective in that they contained holes.

LABEL, IN PART: (Package) "Texide Prophylactic * * * Manufactured By L. E. Shunk Latex Prod., Inc., Akron, Ohio."

NATURE OF CHARGE: Adulteration, section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statements "Prophylactic" and "Prophylactic * * * Tested * * * For Your Protection" were false and misleading as applied to an article containing holes.

DISPOSITION: March 7, 1949. Default decree of condemnation and destruction.

**2681. Adulteration and misbranding of prophylactics. U. S. v. 110 Gross * * *.** (F. D. C. No. 26562. Sample Nos. 19812–K, 19816–K.)

LIBEL FILED: February 25, 1949, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about August 8, 1948, by the Killashun Sales Division, from Akron, Ohio.

PRODUCT: 110 gross of *prophylactics* at Nashville, Tenn. Examination of samples showed that 4.2 percent were defective in that they contained holes.

LABEL, IN PART: "Texide Prophylactics Mfd. By L. E. Shunk Latex Prod., Inc., Akron, Ohio."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statement "Prophylactic" was false and misleading as applied to an article containing holes.

DISPOSITION: April 29, 1949. Default decree of destruction.

**2682. Adulteration and misbranding of prophylactics. U. S. v. 24 Gross * * *.** (F. D. C. No. 26539. Sample No. 29649–K.)

LIBEL FILED: February 16, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about February 17, 1948, by the Killashun Sales Division, from Akron, Ohio.

PRODUCT: 24 gross of *prophylactics* at Denver, Colo. Examination of samples showed that 6.9 percent were defective in that they contained holes.

LABEL, IN PART: "Texide Prophylactics Mfd. By L. E. Shunk Latex Prod., Inc., Akron, Ohio."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statement "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: April 18, 1949. Default decree of condemnation and destruction.

**2683. Adulteration and misbranding of prophylactics. U. S. v. 76 Gross * * *.** (F. D. C. No. 26191. Sample No. 19780–K.)

LIBEL FILED: December 2, 1948, Southern District of Indiana.