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.