claim, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable institution.

38. Misbranding of dental cream. U. S. v. 30 Dozen Packages of Dental Cream. Default decree of condemnation and destruction. (F. D. C. No. 759. Sample No. 74106–D.)

The tube containing this article occupied only 22 percent of the capacity of the carton.

On October 18, 1939, the United States attorney for the District of Massachusetts filed a libel against 30 dozen packages of dental cream at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about August 4 and 9, 1939, by the Gotham Sales Co., Inc., from New York, N. Y.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading. It was labeled in part: (Carton) "Large Size New Improved Honor * * * Milk of Magnesia Tooth Paste Dental Cream * * * Honor Products Company Chicago"; (tube) "Continental Sales Corp. Chicago, Ill., Distributors."

On January 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

39. Misbranding of tooth paste. U. S. v. 25½ Dozen Packages of Travel Tube Iodent Tooth Paste. Consent decree of condemnation and destruction. (F. D. C. No. 632. Sample No. 82413–D.)

The tube containing this product occupied only about 24 percent of the space in the carton.

On October 21, 1939, the United States attorney for the Northern District of Georgia filed a libel against 25½ dozen packages of tooth paste at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about July 3, 1939, by the Iodent Chemical Co. from Detroit, Mich.; and charging that it was misbranded in that its containers were so made, formed, and filled as to be misleading.

On October 28, 1939, an order was entered in the district court removing the case to the Northern District of Illinois. On December 16, 1940, the Iodent Chemical Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

40. Misbranding of dental cream. U. S. v. 35 Dozen Packages of Kolynos Dental Cream. Consent decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 780. Sample No. 68325–D.)

The cartons of this product were excessively large, the tube occupying only 23.6 percent of the capacity of the carton.

On October 21, 1939, the United States attorney for the Southern District of New York filed a libel (amended December 16, 1939) against 35 dozen packages of dental cream at Bronx, N. Y., alleging that the article had been shipped in interstate commerce on or about October 3, 1939, from New Haven, Conn., by the Kolynos Co.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On September 13, 1940, the Kolynos Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

41. Misbranding of tooth paste. U. S. v. 42 Dozen Tubes of Laymon's Tooth Paste. Default decree of condemnation and destruction. (F. D. C. No. 885. Sample No. 75945–D.)

The tubes containing this product occupied approximately 20 percent of the space in the cartons.

On November 10, 1939, the United States attorney for the Southern District of Ohio filed a libel (amended December 16, 1939) against 42 dozen tubes of tooth paste at Columbus, Ohio, alleging that the article had been shipped in interstate commerce within the period from on or about September 20 to on or about October 23, 1939, by the World's Products Co. from Spencer, Ind.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On March 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.