in the labeling, which bore representations that the article was to be used for the prevention and cure of sore nipples and contained directions that the shield should be applied as soon after delivery as possible; that the only attention required was that the nipple be wiped previously to nursing and that the shield be applied again immediately, and that the article was in no way likely to be injurious to the infant; particularly in view of the failure of the labeling to reveal facts material in the light of such representations, or material with respect to consequences which might result from the use of the device under the conditions of use so prescribed, or under such conditions of use as are customary or usual.

On February 16, 1939, the shipper having signed an authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

21. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 9 Boxes of Dr. Wansbrough's Metallic Shields. Default decree of condemnation and destruction. (F. D. C. No. 150. Sample No. 44802–D.)

On February 25, 1939, the United States attorney for the Northern District of Georgia filed a libel against 9 boxes of the above-named product at Atlanta, Ga.; alleging that the article had been shipped in interstate commerce on or about October 5, 1938, by Fred Haslam & Co., from Brooklyn, N. Y.; and charging that it was misbranded.

The article was alleged to be misbranded in that it was dangerous to health when used in the dosage or with the frequency prescribed, recommended, or suggested in the labeling, in which the product was recommended for the prevention and cure of sore nipples and which contained directions that the shields should be applied as soon after delivery as possible, that in using them the only attention required was to wipe the nipple previously to nursing and apply the shield again immediately afterwards, and that they were in no way likely to be injurious to the infant.

On March 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

22. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 22 Packages of Dr. Wansbrough's Metallic Nipple Shields. Default decree of condemnation and destruction. (F. D. C. No. 162. Sample No. 36348–D.)

On February 7, 1939, the United States attorney for the Northern District of California filed a libel against 22 packages of the above-named product at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about November 19, 1938, by the National New York Packing & Shipping Co. from New York, N. Y.; and charging that it was misbranded.

The article was alleged to be misbranded in that it was dangerous to health when used in the dosage or with the frequency prescribed, recommended, or suggested in the labeling, in which it was recommended for the prevention and cure of sore nipples, and which contained directions that the shields should be applied as soon after delivery as possible, that in using them the only attention required was to wipe the nipple previously to nursing and to apply the shield again immediately afterwards, and that they were in no way likely to be injurious to the infant.

On March 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

23. Misbranding of Metallic Nipple Shields. U. S. v. 74¾ Dozen Boxes of Dr. Wansbrough's Metallic Nipple Shields. Default decree of condemnation and destruction. (F. D. C. No. 148. Sample No. 45752–D.)

On February 6, 1939, the United States attorney for the Northern District of Illinois filed a libel against 74¾ dozen boxes of the above-named product at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about December 21, 1938, by the Penn Surgical Manufacturing Co. from Philadelphia, Pa.; and charging that it was misbranded.

The article was alleged to be misbranded in that it was dangerous to health when used in the dosage or with the frequency prescribed, recommended, or suggested in the labeling, in which it was recommended for the prevention and relief of sore nipples.

On March 16, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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