24. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 26 Boxes and 10 Packages of Dr. Wansbrough's Metallic Nipple Shields. Default decrees of condemnation and destruction. (F. D. C. Nos. 127, 208. Sample Nos. 53546–D, 59381–D.)

On January 20 and March 22, 1939, the United States attorneys for the Southern District of New York and the Southern District of Iowa filed libels against 26 boxes of Dr. Wansbrough's Metallic Nipple Shields at New York, N. Y., and 10 packages of the same product at Des Moines, Iowa; alleging that the article had been shipped in interstate commerce by the Glasco Products Co. from Chicago, Ill., on or about July 27 and December 30, 1938; and charging that it was misbranded.

It was alleged in the libel filed in the Southern District of New York that the article was 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 shield 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 that the shield be applied again immediately afterwards.

It was alleged in the libel filed in the Southern District of Iowa that the article was 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, 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 article to which the labeling related under the conditions of use prescribed in the labeling or under such conditions of use as are customary and usual; and in that the labeling failed to reveal the material fact that fatal lead poisoning might result in infants fed from breasts of mothers using this appliance.

On February 7 and April 21, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

25. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 122 Boxes and 20 Boxes of Metallic Nipple Shields. Default decrees of condemnation and destruction. (F. D. C. Nos. 128, 156. Sample Nos. 48838–D, 50579–D.)

On January 23 and February 6, 1939, the United States attorneys for the District of Massachusetts and the Eastern District of Washington filed libels against 122 boxes of the above-named product at Boston, Mass., and 20 boxes at Spokane, Wash.; alleging that the article had been shipped in interstate commerce by J. Sklar Manufacturing Co. from Brooklyn, N. Y., within the period from on or about October 1 to on or about October 12, 1938; 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, that they be applied again immediately afterwards, and that they were in no way likely to be injurious to the infant.

On February 13 and March 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

26. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 20 Packages of Metallic Nipple Shields (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 157, 158, 163, 166, 167, 171. Sample Nos. 18971–D, 18972–D, 18973–D, 26999–D, 27000–D, 44825–D.)

Between February 8 and 16, 1939, the United States attorneys for the Southern District of California, the Eastern District of New York, and the Western District of North Carolina filed libels against 52 packages of Dr. Wansbrough's Metallic Nipple Shields at Los Angeles, Calif.; 13 packages at Brooklyn, N. Y.; and 10 packages of the same product at Charlotte, N. C. The libels alleged that the article had been shipped in interstate commerce within the period from on or about September 20, 1938, to on or about January 20, 1939; that all shipments, with one exception, were made by the Glasco Products Co. from Chicago, Ill.; that one shipment had been made by the H. H. Rosenthal Co. from New York, N. Y.; and charged that the article was misbranded.