3654. Adulteration of dl-amphetamine sulfate, dextro-amphetamine phosphate, dextro-amphetamine sulfate, and dextro-amphetamine base. U. S. v. Tru-Synthetics, Inc. Plea of guilty. Fine, $1,200. (F. D. C. No. 30050. Sample Nos. 42999–K, 73632–K, 73633–K, 73635–K, 81202–K, 81205–K.)

INFORMATION FILED: March 26, 1951, Eastern District of New York, against Tru-Synthetics, Inc., Long Island City, N. Y.

ALLEGED SHIPMENT: On or about October 7, 1949, and April 21, and May 8, 16, and 26, 1950, from the State of New York into the States of Illinois, New Jersey, and Pennsylvania.

LABEL, IN PART: "Manufacturers Tru-Synthetics, Inc. Long Island City 1, N. Y. * * * dl-Amphetamine Sulfate * * * For Manufacturing Use Only," "Dextro-Amphetamine Phosphate," "Dextro-Amphetamine Sulfate," and "Dextro-Amphetamine Base."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the drugs differed from, and their quality fell below, that which they were represented to possess since the *dl-amphetamine sulfate* contained more laevo-amphetamine sulfate than dextro-amphetamine sulfate, whereas *dl-amphetamine sulfate* is composed of equal proportions of dextro-amphetamine sulfate and laevo-amphetamine sulfate; the *dextro-amphetamine phosphate* contained laevo-amphetamine phosphate in addition to dextro-amphetamine phosphate; the *dextro-amphetamine sulfate* contained laevo-amphetamine sulfate in addition to dextro-amphetamine sulfate; and the *dextro-amphetamine base* contained laevo-amphetamine in addition to dextro-amphetamine.

Further adulteration, Section 501 (d) (2), the substances referred to above had been substituted for *dl-amphetamine sulfate, dextro-amphetamine phosphate, dextro-amphetamine sulfate*, and *dextro-amphetamine base.*

DISPOSITION: November 29, 1951. A plea of guilty having been entered, the court imposed a fine of $1,200.

3655. Adulteration and misbranding of rubber prophylactics. U. S. v. 93 Gross * * *. (F. D. C. No. 28864. Sample No. 64751–K.)

LIBEL FILED: On or about February 20, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about January 3 and 13, 1950, by the Dean Rubber Mfg. Co. from North Kansas City, Mo.

PRODUCT: 93 gross of *rubber prophylactics* at Minneapolis, Minn. Examination of samples showed that 3.23 percent were defective in that they contained holes.

LABEL, IN PART: "Dean's Peacocks Reservoir Ends."

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

Misbranding, Section 502 (a), the label statements "For Your Protection—An Aid in Preventing Venereal Diseases" were false and misleading as applied to the article since it contained holes.

DISPOSITION: December, 18, 1951. The Dean Rubber Mfg. Co. having filed a claim of ownership, but having made no answer or appearance other than such claim, the court, upon motion of the Government, heard the evidence adduced on behalf of the Government. The court found that the article was adulterated and misbranded as charged and ordered that it be destroyed.