PRODUCT: 21 gross of *prophylactics* at Los Angeles, Calif. Examination of samples showed that 2.8 percent were defective in that they contained holes.

LABEL, IN PART: "Three Roger (O. K.)."

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 designation "Prophylactic" was false and misleading as applied to an article containing holes.

DISPOSITION: July 24, 1951. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS *

3518. Misbranding of Sleepene tablets. U. S. v. 32 Bottles * * *. (F. D. C. No. 31213. Sample No. 23532–L.)

LIBEL FILED: June 22, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about February 1, 1951, by the Sleepene Co., Inc., from New York, N. Y.

PRODUCT: 32 125-tablet bottles of *Sleepene* at Hackensack, N. J.

LABEL, IN PART: "Tablets Sleepene * * * Active Ingredients Aluminum Hydroxide, Acetylsalicylic Acid (Aspirin), Magnesium Trisilicate."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Sleepene Helps You Sleep if insomnia is due to simple irritability, nervousness or tension" was false and misleading since the article would not help one sleep.

DISPOSITION: August 14, 1951. Default decree of condemnation and destruction.

3519. Misbranding of Dr. Pierre's Boro-Pheno-Form suppositories. U. S. v. 24 Boxes, etc. (F. D. C. No. 29978. Sample No. 84801–K.)

LIBEL FILED: November 3, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 29, 1950, by the Dr. Pierre Chemical Co., from Chicago, Ill.

PRODUCT: 24 boxes, each containing 12 packages, of *Dr. Pierre's Boro-Pheno-Form suppositories* at Dayton, Ohio, together with a number of accompanying leaflets entitled "Feminine Hygiene The Boro-Pheno-Form Way."

Analysis showed that the product contained approximately 14.5 percent boric acid and 3.5 percent quinine sulfate, together with salicylic acid, zinc phenolsulfonate, menthenamine, red cinchona bark, zinc sulfate, cocoa butter, and paraffin.

LABEL, IN PART: (Package) "Dr. Pierre's Boro-Pheno-Form 12 Suppositories."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing on the package label and in the leaflets were false and misleading since the statements represented and suggested that the article was effective for promoting personal cleanliness and feminine hygiene, whereas the article was not effective for such purposes.

DISPOSITION: August 3, 1951. Default decree of destruction.

3520. Misbranding of Buno Medicine. U. S. v. 80 Bottles * * *. (F. D. C. No. 31030. Sample No. 2890–L.)

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*See also Nos. 3503, 3505, 3508, 3510–3515, 3517.