that it was adulterated and misbranded. It was labeled in part: "Apris" or "Silver-Tex."

It was alleged to be adulterated in that its quality fell below that which it purported or was represented to possess.

It was alleged to be misbranded in that representations in the labeling that it was a prophylactic and disease preventative were false and misleading.

On February 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

131. Adulteration and misbranding of prophylactics. U. S. v. 69 Gross and 11 Gross of Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 1247. Sample Nos. 62617–D, 62618–D, 62619–D.)

On December 27, 1939, the United States attorney for the Southern District of Texas filed a libel against 80 gross of prophylactics at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about November 29 and December 7, 1939, by the Akron Drug & Sundries Co. from Akron, Ohio; and charging that it was adulterated and misbranded. It was labeled in part: "Derbies" or "Apris."

It was alleged to be adulterated in that its quality fell below that which it purported or was represented to possess.

It was alleged to be misbranded in that representations in the labeling of the Apris brand that it was a prophylactic; and those in the labeling of the Derbies brand that it was effective for prevention of disease, that its quality was guaranteed and that it consisted of a carefully selected prophylactic, and was guaranteed against deterioration for 2 years, were false and misleading.

On January 31, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

132. Adulteration and misbranding of prophylactics. U. S. v. 154 Gross of Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 1333. Sample No. 70142–D.)

On January 10, 1940, the United States attorney for the Eastern District of Philadelphia filed a libel against 154 gross of prophylactics at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 21, 1939, by the Ace Sales Co. from Baltimore, Md.; and charging that it was adulterated and misbranded. It was labeled in part "Shur-Tex."

It was alleged to be adulterated in that its quality fell below that which it purported or was represented to possess.

It was alleged to be misbranded in that the representation in the labeling that it was a prophylactic was false and misleading.

On February 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

133. Adulteration and misbranding of prophylactics. U. S. v. 58 Gross and 22 Gross of Prophylactics. Default decrees of condemnation and destruction. (F. D. C. Nos. 1249, 1296. Sample Nos. 61285–D, 62620–D.)

On December 27, 1939, and January 4, 1940, the United States attorney for the Southern District of Texas filed libels against 80 gross of prophylactics at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about September 11 and September 21, 1939, by the International Distributors Co. from Memphis, Tenn.; and charging that it was adulterated and misbranded. It was labeled in part "Apris."

The article was alleged to be adulterated in that its quality fell below that which it purported or was represented to possess.

It was alleged to be misbranded in that the representation on the labeling that it was a prophylactic was false and misleading.

On January 31 and February 8, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

134. Adulteration and misbranding of prophylactics. U. S. v. 38 Gross of Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 1225. Sample No. 85678–D.)

On December 20, 1939, the United States attorney for the Middle District of Pennsylvania filed a libel against 38 gross of prophylactics at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about September 22, 1939, by the Goodwear Rubber Co. from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part "Stags."