taminated with viable micro-organisms. Its label failed to bear the name and address of the manufacturer, packer, or distributor.

On September 6, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 1,044 retail packages of adhesive bandages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about June 29, 1940, by the Deane Plaster Co. from Yonkers, N. Y.; and charging that it was misbranded in that the following statements appearing on the packages were false and misleading as applied to an article which was not sterile but was contaminated with viable micro-organisms, "First Aid for Minor Cuts. Wounds. * * * Apply the Gauze Pad directly over the Wound. * * * Will afford complete protection for the cut or wound"; and in that the label did not bear the name and address of the manufacturer. packer, or distributor.

On October 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

PROPHYLACTICS

321. Adulteration of prophylactics. U. S. v. 37 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 2314. Sample No. 9633–E.)

On July 3, 1940, the United States attorney for the Southern District of Alabama filed a libel against 37 gross prophylactics at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about February 5, 1940, by Gotham Sales Co., Inc., from New York, N. Y.; and charging that it was adulterated in that its quality fell below that which it purported or was represented to possess. It was labeled in part "Tally-Ho."

On August 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

322. Adulteration and misbranding of prophylactics. U. S. v. 83 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 3536. Sample No. 19322–E.)

On December 18, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 83 gross of prophylactics at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about November 6, 1940, by the Magnet Merchandise Co. from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "X Cello's * * * Mfd. By The Killiam Mfg. Co. Akron, Ohio."

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 in the labeling that it was prophylactic was false and misleading.

On January 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

323. Adulteration and misbranding of prophylactics. U. S. v. 9 and 42/144 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 2718. Sample No. 9880–E.)

On or about September 6, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 9 gross and 3½ dozen prophylactics at Monroe, La., alleging that the article had been shipped in interstate commerce on or about December 27, 1939, by the Marman Products Co. from Newark, N. J.; and charging that it was adulterated and misbranded. It was labeled in part: "Lorica Velveen Shorts."

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 statement "For the Prevention of Diseases," on the carton, was false and misleading.

On October 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

324. Adulteration of prophylactics. U. S. v. 198–11/18 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. D. C. No. 3414. Sample No. 50142–E.)

On November 19, 1940, the United States attorney for the District of Maryland filed a libel against 198–11/18 gross of prophylactics at Baltimore, Md.,