

Analysis of a sample of Farm Disentone showed that it consisted essentially of kerosene containing tar and creosote.

The article was alleged to be misbranded in that statements in the label regarding the efficacy of the drug in the cure, mitigation, treatment, or prevention of disease in animals were false and misleading, since the product was not effective for these purposes. The statements represented and suggested: (1) That ailments of poultry and hogs would be practically eliminated ("whipped") by the use of the drug. (2) That the article would be efficacious in preventing germ infection in hogs, cattle, and poultry. (3) That it would be efficacious in the treatment of coughs, colds, and flu in hogs. (4) That it would be efficacious in the treatment of hog scurf, and would cure hog mange. (5) That the use of the drug as directed would enable the user to avoid from 70 to 90 percent of the losses caused by disease in poultry and hogs. And (6), that the drug would be of value in the treatment of ring worms, grub worms, and wire cuts in hogs and cattle.

The article was alleged to be further misbranded in that it was in package form and its label failed to bear any statement of the quantity of contents; and also in that its label failed to bear the common or usual name of each active ingredient.

On October 20, 1942, a plea of guilty having been entered, the court imposed a fine of \$25 and half the costs against each defendant.

897. Misbranding of Red-Hed Coxol. U. S. v. Joseph Edward Layton (Production Laboratories). Plea of nolo contendere. Fine, \$75. (F. D. C. No. 5512. Sample Nos. 21701-E, 21627-E, 26956-E.)

On March 12, 1942, the United States attorney for the Western District of Washington filed an information against Joseph Edward Layton, trading as Production Laboratories, Seattle, Wash., alleging shipment on or about August 7 and November 5, 1940, from the State of Washington into the State of California of quantities of Red-Hed Coxol which was misbranded.

Analysis of a sample of the article showed that it consisted essentially of an unsaponifiable oil (mineral oil) 60.8 percent, a saponifiable oil consisting in part of fish oil, turpentine 3 percent, a small amount of iodine, and a red coal-tar dye.

The article was alleged to be misbranded in that statements in the labeling which represented and suggested that it would be efficacious as a preventive, treatment, and control for coccidiosis and blackhead in poultry were false and misleading since it would not be efficacious for such purposes.

On October 27, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$75.

898. Misbranding of Mineralized Molactas Block, Turk-A-Tox, Mineral Block, Murco Antiseptic Tablets, and Mineralized Molactas Block - Hog Bricks with Nicotinic Acid. U. S. v. Lapp Laboratories, Inc. Plea of guilty. Fine, \$125. (F. D. C. No. 5562. Sample Nos. 16166-E, 39119-E, 39121-E to 39123-E, incl., 39125-E.)

On May 4, 1942, the United States attorney for the Southern District of Iowa filed an information against Lapp Laboratories, Inc., Nevada, Iowa, alleging shipment from on or about April 8 to September 17, 1940, from the State of Iowa into the State of Missouri of quantities of the above-named products that were misbranded.

Analysis of a sample of Mineralized Molactas Block showed that the product consisted essentially of mineral salts, carbohydrates, small proportions of nitrogenous matter, and charcoal. It contained not more than 5.5 percent of crude protein, not more than 37 percent of nitrogen-free extract, 8.6 percent of calcium compounds calculated as calcium, 0.5 percent of phosphorus, and 6.8 percent of salt. Based on this analysis it was alleged that the following statement in a circular accompanying the product was false and misleading: "Nitrogen Free Extract, not less than 63.0% * * * Potassium Iodide * * * Copper Sulphate * * * Calcium * * * 4.2% * * * Iodine * * * .04%, Salt * * * not more than 2.5%." It was alleged to be further misbranded in that the statements appearing on the circular regarding its efficacy in the cure, mitigation, treatment, or prevention of disease in animals were false and misleading, since it would not be efficacious for such purposes. These representations and suggestions were, in part, as follows: For keeping all livestock healthy, for wormy hogs, as a preventive or control of intestinal parasites of hogs, as a preventive of bloating of livestock, as an aid in the control of intestinal worms, as a source of elements healing and soothing to the bruised intestine, and as efficacious in case of necrotic enteritis due to nutritional deficiencies.

Analysis of a sample of Turk-A-Tox showed that it consisted essentially of carbolic acid, gluconic acid, glycerine, and water. The article was alleged to be misbranded in that the statements on the label: "Prophylactic For Turkeys * * * An aid in the control of Blackhead in turkeys," were false and misleading since the article would not be effective for such purposes.

Analysis of a sample of Mineral Block showed that the product consisted essentially of compounds of calcium, and smaller proportions of compounds of sodium, iron, phosphorus, carbonates, chlorides, and sulfates, and contained not more than 26.1 percent of calcium oxide, equivalent to 18.6 percent of calcium and not more than 0.6 percent of phosphorus. Based on this analysis the following statements on the label were alleged to be false and misleading: "Calcium Oxide * * * 30%, Calcium * * * not more than 25%, Phosphorus, * * * not less than 4%, * * * Potassium Iodide, .05%." It was alleged to be further misbranded in that the therapeutic claims made for the article were false and misleading since the article was not effective for such purposes. The representations and suggestions were in part as follows: That the article would improve the appetite and finish of livestock, would increase production of livestock, and the health of livestock; that it would be efficacious in the treatment of various breeding diseases, would stimulate the secretion of the thyroid glands and have a beneficial effect upon the nervous system of the animal, and would have value to the blood.

Analysis of a sample of Murco Antiseptic Tablets showed that the tablets contained calcium, sodium and zinc phenolsulfonates, citric acid, bichloride of mercury 4.2 grains per tablet, and talc. It was alleged to be misbranded: (1) In that statements in the carton and in the label represented and suggested that the article would act as internal antiseptic, prevent or control disease, guard against and reduce the chances of spreading disease, keep the flock healthy, prevent bowel disorders such as indigestion, constipation, pasting up of the vent, and similar troubles; that it would prevent the spread of colds and bronchitis and ropy conditions; that it would be efficacious and beneficial in healing the intestines of the birds after the flock had been wormed; and that the articles would be efficacious in cases of coccidiosis, fowl typhoid, cholera, and worming, were false and misleading since the article would not be efficacious for such purposes. (2) In that its label failed to bear accurate statements of the quantity of the contents in terms of weight and measure. (3) In that its label did not bear a statement of the quantity or proportion of bichloride of mercury which it contained.

Examination of a sample of Mineralized Molactas Block—Hog Brick with Nicotinic Acid, showed that the product consisted essentially of mineral salts, carbohydrates, nitrogenous matter, charcoal, and moisture, and contained not more than 39 percent of nitrogen-free extract, not more than 0.8 percent of phosphorus, not less than 9 percent of calcium, and not less than 7 percent of salt. Based on this examination the following statements, borne on the carton, were alleged to be false and misleading: "Analysis: * * * Nitrogen Free Extract, not less than 63.0%. Potassium Iodide, * * * Calcium * * * 4.2%, Phosphorus * * * 1.4%, Iodine * * * .04%, Salt * * * not more than 2.5%." It was alleged to be misbranded further in that the statements appearing on the circular accompanying the article were false and misleading since they represented and suggested that the article would be efficacious for keeping all livestock healthy; for wormy hogs; for preventing or controlling intestinal parasites of hogs; as a preventive of bloating of livestock; in the control of intestinal worms, and as a source of elements that are healing and soothing to the bruised intestines, whereas the article would not be effective for such purposes.

The Mineralized Molactas Block, Mineral Block, and Mineralized Molactas Block with Nicotinic Acid were also misbranded as reported in notices of judgment on foods.

On September 11, 1942, a plea of guilty having been entered to all counts on behalf of the defendant, the court imposed a fine of \$25 on each count; the fines on the counts charging violation of the drug sections of the act amounting to \$125.

899. Misbranding of Pup-Up Tablets. U. S. v. 2½ Gross Packages of Pup-Up Tablets. Default decree of condemnation and destruction. (F. D. C. No. 4836. Sample No. 47981-E.)

On June 4, 1941, the United States attorney for the Northern District of Illinois filed a libel against the above-named product at Chicago, Ill., alleging that