

1147. Misbranding of Kon-Trold Nicotine. U. S. v. 25 Cartons and 17 Cartons of Kon-Trold Nicotine. Default decree of condemnation and destruction. (F. D. C. No. 10521. Sample Nos. 12294-F, 12295-F.)

On September 2, 1943, the United States attorney for the District of Oregon filed a libel against 25 20-ounce cartons and 17 8-ounce cartons of Kon-Trold Nicotine at Portland, Oreg., alleging that the article had been shipped on or about October 19, 1942, and July 2, 1943, from Burbank, Calif., by the Kon-Trold Products Co.; and charging that it was misbranded.

Analysis disclosed that the article was a gray, largely insoluble powder containing nicotine.

The article was alleged to be misbranded in that the statements appearing on its label, "For the control of poultry Round Worms * * * For Round Worm elimination," were false and misleading in that, while a product of this character may have value when used as directed on the label for expelling large roundworms, it would not be effective against all species of roundworms which infest poultry.

On November 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1148. Misbranding of McClellan's Nicotine Krumbles. U. S. v. 22 Cartons, 118 Cartons, and 34 Cartons of McClellan's Nicotine Krumbles. Default decree of condemnation and destruction. (F. D. C. No. 10520. Sample No. 12297-F.)

On September 3, 1943, the United States attorney for the District of Oregon filed a libel against 22 2½-ounce cartons, 118 7-ounce cartons, and 34 15-ounce cartons of McClellan's Nicotine Krumbles at Portland, Oreg., alleging that the article had been shipped on or about August 12, 1942, and March 3 and April 28, 1943, from Los Angeles, Calif., by the C. U. McClellan Laboratories Corporation; and charging that it was misbranded.

Examination disclosed that the article was a reddish-brown, largely insoluble powder containing 4.35 percent of nicotine. The label bore the declaration, "Nicotine Sulphate, Rosin, Iron Sulphate, Red Oxide of Iron."

The article was alleged to be misbranded in that the statements appearing upon its label, "Herd Treatment for Hogs for Large Round Worms * * * McClellan's Nicotine Krumbles for hogs is effective," were false and misleading since the article would not be of value as a treatment for large roundworms in hogs; and in that the containers of the 15-ounce size were so filled as to be misleading since they were less than half filled.

On November 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1149. Misbranding of Neol and Coridene. U. S. v. 29 Bottles of Neol and 25 Bottles of Coridene. Default decree of condemnation and destruction. (F. D. C. No. 10120. Sample Nos. 5667-F, 5668-F.)

On June 23, 1943, the United States attorney for the Southern District of Iowa filed a libel against 9 16-ounce bottles and 20 6-ounce bottles of Neol, and 6 32-ounce bottles and 19 16-ounce bottles of Coridene at Shenandoah, Iowa, alleging that the articles had been shipped on or about December 12, 1942, from Omaha, Nebr., by the Gland-O-Lac Company; and charging that they were misbranded.

Analysis disclosed that the Neol consisted essentially of thyme oil, eucalyptus oil, creosote, menthol, and a chlorinated phenol dissolved in mineral oil, colored green with chlorophyll; and that the Coridene consisted essentially of an emulsion of cod liver oil and water flavored with thymol and cineol, containing glutamic acid hydrochloride (4.6 percent), total hydrochloric acid (7.5 percent), acetic acid (1.5 percent), copper sulfate (2.4 percent), and arsenic trioxide (0.007 percent—0.03 grain per fluid ounce).

The articles were alleged to be misbranded in that certain statements appearing in the booklet entitled "Gland-O-Lac Manual of Chicken Diseases," and in a circular entitled "This Year . . . try Gland-O-Lac's Formula for Better Chicks," were false and misleading since such statements, as they related to each article, represented and suggested that the articles constituted appropriate and adequate treatment for the conditions and diseases of poultry enumerated therein, namely, in the case of the Neol, white diarrhea (pullorum disease), respiratory diseases, common colds, contagious coryza, bronchitis, brooder pneumonia, nutritional roup, laryngotracheitis, coryza, simple bronchitis, bacterial bronchitis, colds, and roup; and in the case of the Coridene, white diarrhea, mycosis, erosions of gizzard lining, non-specific infections, coccidiosis, and fowl typhoid, in addition to aiding digestion, stimulating the liver, aiding in the production of red blood coloring matter in certain conditions, and helping avoid

constipation, whereas the articles, when used as directed, did not constitute appropriate or adequate treatment for such diseases or conditions of poultry.

On July 28, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1150. Misbranding of Dr. MacDonald's Vitamized Egg Mash Maker and Chick & Growing Mash Maker, and Dr. MacDonald's Vitamized Metabolators for Swine, Calves, Beef Cattle, and Sheep. U. S. v. 9 Bags of the Egg Mash Maker, 8 Bags of the Chick & Growing Mash Maker, and the following quantities of the Vitamized Metabolators: For Swine, 101 Bags; for Calves, 1 Bag; for Beef Cattle, 27 Bags; for Sheep, 10 Bags. Decrees of condemnation. Product ordered released under bond for relabeling. (F. D. C. Nos. 10951, 11085. Sample Nos. 8241-F, 8565-F, 8566-F, 8568-F to 8570-F, incl.)

On October 22 and November 10, 1943, the United States attorney for the District of Minnesota filed libels against a total of 156 100-pound bags of the above-named products at St. Paul, Minn., alleging that they had been shipped in interstate commerce on or about March 20, May 14, and September 22, 1943, by the Vitamized Feed Company, Fort Dodge, Iowa; and charging that they were misbranded.

Examination of the Egg Mash Maker showed that it consisted of ground limestone, salt, charcoal, sulfur, and small amounts of iron sulfate, copper sulfate, sodium bicarbonate, potassium iodide, oil, and plant material including ginger. The iodine content was not more than 0.03 percent. It was alleged to be misbranded in that the statements appearing in its labeling which represented and suggested that the article, when fed to poultry, was effective to produce high egg production, increase vitality, insure greater hatchability of eggs, improve utilization of foods, and prevent or correct many nutritional deficiency diseases, were false and misleading since the article was not so effective.

Examination of the Chick & Growing Mash Maker showed that it consisted essentially of ground limestone, salt, charcoal, sulfur, and small proportions of iron sulfate, iron oxide, copper sulfate, sodium thiosulfate, sodium bicarbonate, potassium iodide, oil, yeast, and plant material including a cereal, and ginger. It was alleged to be misbranded because of false and misleading statements in its labeling which suggested and implied that the article was vitamized; that it would stop chick losses; that it would prevent any disease condition of chicks or chickens; that it would help to keep the chicks in good health; that it would help to produce healthy, mature birds in the shortest possible time; that it was a balancer of feeds; that it would reduce mortality due to unbalanced feeds; that it would increase egg production and build greater resistance to disease; that it would help guard against chick mortality; that it would help to grow chicks at a faster rate in a shorter period of time at less cost; that it would increase the flow of digestive juices and body secretions; that it would build strong, vigorous, thrifty chicks; that it would promote strong bone structure, rapid growth, and improve flock health and vigor; that it would ward off nutritional deficiency diseases; and that it would build up resistance against infectious diseases. The use of the article would not effect the results suggested or implied by such statements.

Examination of the Metabolator for Swine showed that it consisted essentially of ground limestone, salt, charcoal, sulfur, and small proportions of iron sulfate, sodium thiosulfate, copper sulfate, sodium bicarbonate, potassium iodide, oil, yeast, and plant material including fenugreek and a cereal. It contained not more than 0.01 percent of iodine. It was alleged to be misbranded because of false and misleading statements appearing in its labeling which suggested or implied that it was vitamized; that it would promote metabolism; that it would prevent death losses; that it would insure against losses due to any cause; that it would prevent pigs from developing white and black scours; that it was effective in the treatment of the disease condition known as negro; that it would increase benefits of home-grown grains; that it would help improve health of stocks through better nutrition; that it would increase the profits from swine; that it would increase reproductive ability; that it would insure large litters of husky pigs; that it would improve the digestive ability of feeds and increase the flow of saliva and digestive juices; that it would produce a better utilization of the feed; that it would prevent the disease conditions known as scours, pneumonia, worms, negro enteritis, or any other contagious diseases; that it would help produce big, strong, healthy litters; that it would increase the milk production of sows; that it would help produce strong and healthy pigs; that it would save pigs; and that it would help to combat scours, negro, worms, or other pig dis-