

having withdrawn its answer, judgment of condemnation was entered and the court ordered that the device be destroyed.

3038. Misbranding of parts and accessories for a device called "Farador." U. S. v. 190 Treating Plates, etc. (F. D. C. No. 28007. Sample No. 52434-K.)

LIBEL FILED: October 7, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: A number of parts and accessories, together with a number of circulars, were shipped on or about July 2 and 30, 1949, by Mrs. Florence M. Higley, from Buffalo, N. Y. Additional accessories were shipped on or about June 28, 1949, by E. W. Schlenker, from Buffalo, N. Y., and 26 brass cylinders were shipped on or about August 23, 1949, by the Curtis Screw Co., from Buffalo, N. Y.

PRODUCT: Various parts and accessories for use in assembling "Farador," a device, located at Englewood, Ohio. When the device was assembled, it consisted of a brass cylinder with two wires affixed to one end and various accessories which were to be attached to the free ends of the wires and applied to parts of the body. The device was therapeutically inert. The following items were covered by the libel: 190 treating plates, 55 local plates, 33 foot plates, 10 eye treating plates, 33 end connectors, 6 rectal dilators (large), 91 special urethral applicators, 3 sets ear attachments, 7 eye attachments, 8 rectal dilators (small), 4 female sounds, 1 tooth and mouth plate, 6 spinal plates, 6 partly finished rectal dilators, 9 partly finished mouth plates, 20 sets of Farador ends, 54 Farador sealing rings, 78 lead rings, 32 cork fillers, and 26 brass cylinders.

The circulars accompanying the accessories were entitled "Harnessing Nature," "Guards the Health of the Home," "We Submit Proofs" (white), "We Submit Proofs" (yellow), "Farador Direction Book," "Directions for Using the Farador Mouth Plate" [or "Optical Device," "Spinal Plate," "Dilation Treatment," "Urethral Sound," "Nasal Attachment," "Foot Plate," "Local Plate," or "Back Plate"].

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying circulars were false and misleading. The statements represented and suggested that the device was adequate and effective for the prevention, treatment, and cure of most of the diseases of the human body, including, but not limited to, appendicitis, blood poison, tuberculosis, syphilis, spinal meningitis, apoplexy, convulsions, sexual debility, epilepsy, gonorrhoea, infantile paralysis, malaria, paralysis, and heart disease. The device was not adequate or effective for the prevention, treatment, or cure of the diseases, conditions, and symptoms stated and implied.

DISPOSITION: December 23, 1949. Default decree of condemnation. The court ordered that a number of the accessories and circulars be turned over to the Food and Drug Administration and that the remainder of the accessories and circulars be destroyed.

DRUGS FOR VETERINARY USE

3039. Misbranding of Life Guard Medicated Liquid for Poultry, Life Guard Remrow Water Wormer, Life Guard Medicated Liquid for Hogs, and Life Guard Expeller. U. S. v. Liberty Oil Co. Plea of guilty. Fine of \$175 and costs. (F. D. C. No. 28099. Sample No. 24653-K, 25851-K, 45548-K, 45556-K.)

INFORMATION FILED: January 13, 1950, Southern District of Iowa, against the Liberty Oil Co., a corporation, Des Moines, Iowa.

ALLEGED SHIPMENT: On or about September 24, 1948, and February 2, March 1, and May 3, 1949, from the State of Iowa into the State of Minnesota.

PRODUCT: Analysis disclosed that the *Life Guard Medicated Liquid for Poultry* consisted of a purple-colored aqueous liquid containing essentially salts of potassium, sodium, and aluminum in the form of permanganate, chloride, sulfate, and chlorate; that the *Life Guard Remrow Water Wormer* consisted of an aqueous mixture having considerable sediment and containing essentially 12.8 grams per 100 cc. phenothiazine, together with salts of iron, sodium, calcium, and manganese in the form of chloride, sulfate, carbonate, phosphate, and anise; that the *Life Guard Medicated Liquid for Hogs* consisted of a dark green aqueous liquid with a small amount of brown sediment and containing essentially salts of copper, sodium, manganese, potassium, and aluminum in the form of sulfate, carbonate, and anise; and that the *Life Guard Expeller* consisted of an oil composed essentially of castor oil, 3½ percent oil of chenopodium, and 5.68 grams per 100 cc. of chloroform.

LABEL, IN PART: "Life Guard Brand Medicated Liquid for Poultry [or "Remrow Water Wormer," "Medicated Liquid for Hogs," or "Expeller"]."

NATURE OF CHARGE: *Life Guard Medicated Liquid for Poultry.* Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented that the article would be efficacious in the treatment and prevention of coccidiosis in poultry, whereas it would not be efficacious for such purposes; and, Section 502 (e) (2), the article was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient.

Life Guard Remrow Water Wormer. Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented and suggested that the article would be effective in the removal of all species of worms from hogs, sheep, horses, poultry, and pet stock, whereas it would not be effective for such purpose; and the statement on the label of the active ingredients of the article, namely, "Active Ingredients Phenothiazine, Ferrous Sulphate, Sodium Carbonate, Calcium Hydroxide, Magnesium Sulphate, Potassium Permanganate, Manganese Chloride, Potassium Phosphate," was false and misleading since the article contained only one active ingredient, phenothiazine. Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use; and, Section 502 (f) (2), the labeling of the article failed to bear adequate warnings against use in those pathological conditions where its use may be dangerous to health since the article contained phenothiazine, and its labeling failed to warn that occasional individual sensitiveness of animals to phenothiazine has been reported, and that sick, feverish, or physically weak animals, especially horses, should not be treated with a product containing phenothiazine, except upon the advice of a veterinarian.

Life Guard Medicated Liquid for Hogs. Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading since they represented and suggested that the article when used as directed would have significant medicinal value for hogs, whereas the article when used as directed would have no significant medicinal value for hogs.

Life Guard Expeller. Misbranding, Section 502 (b) (2), the label of the article bore no statement of the quantity of the contents; Section 502 (e) (2), the article was not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label failed

to bear the common or usual name of each active ingredient, including the name and quantity or proportion of chloroform contained in the article, since the label bore no statement of the ingredients contained in the article; and, Section 502 (f) (2), the labeling of the article failed to bear adequate warnings against use in those pathological conditions where its use may be dangerous to health since the article contained oil of chenopodium, and its labeling failed to warn that a product containing oil of chenopodium should not be administered to sick, feverish, physically weak, or undernourished animals, except upon the advice of a veterinarian.

DISPOSITION: January 24, 1950. A plea of guilty having been entered, the court imposed a fine of \$175 and costs.

3040. Misbranding of Poultry Compound, Master-Mix Mineral Feed for Cattle, Dry Insecticide Dip, National Mange Oil, National Compound for Hogs, National Compound for Sheep, National Mineralized Yeast Feeds, and Guai-Calyptol. U. S. v. 1 Carton, etc. (F. D. C. No. 27272. Sample Nos. 44583-K to 44587-K, incl., 44589-K to 44591-K, incl.)

LABEL FILED: June 3, 1949, District of Minnesota.

ALLEGED SHIPMENT: On or about October 1948, and January 15, February 1, March 11 and 15, and April 21, 1949, by the National Compound Co., from Sioux Falls, S. Dak.

PRODUCT: 1 7-pound carton of *Poultry Compound*, 2 100-pound bags of *Master-Mix Mineral Feed for Cattle*, 2 6-pound cartons and 5 15-pound cartons of *Dry Insecticide Dip*, 19 50-pound sacks of *National Compound for Hogs*, 1 50-pound sack of *National Compound for Sheep*, 7 50-pound sacks of *National Mineralized Yeast Feeds*, 4 5-gallon cans of *National Mange Oil*, and 7 16-ounce bottles of *Guai-Calyptol* at Ellsworth, Minn., together with a number of circulars entitled "Hog Feeding Suggestions," "Don't Waste the Hogs," "National Yeast Feeds," and "Master Mix Mineral for Better Cattle Feeding."

LABEL, IN PART: "Poultry Compound Including Kamala * * * Foenugreek, Quassia, Bicarbonate of Soda, Tobacco—containing Nicotine-Sulphate, Kamala, Two per cent Areca Nuts, Oil of Wormseed, Sodium Sulphate, Iron Sulphate, Sulphur, Charcoal and Iron Oxide," "Master Mix Mineral Feed for Cattle * * * Bicarbonate of Soda, Sulphate of Soda, Sodium Chloride, Sulphur, Charcoal, Rock Phosphate, Ground Limestone (98% Carbonate of Calcium), Oil Cake—Linseed or Soybean Meal, Steamed Bone Meal, Quassia, Anise, Iodine," "Dry Insecticide Dip * * * Active Ingredients Napthalene -- about 30% Sodium Fluoride -- 1% Sulphur -- 30% Inert Ingredients -- 39%," "National Compound for Hogs * * * Areca Nuts 2%, Quassia Chips, Oil of Chenopodium—or Wormseed, Foenugreek, Anise—or its Extracted Oil, Copper Sulphate .5%, Charcoal, Linseed Oil Cake Meal—used as a mixing vehicle, 8%, Flour of Sulphur, Bicarbonate of Soda, Sulphate of Sodium, Sugar, Sulphate of Iron," "National Compound for Sheep * * * Areca Nuts, 2%, Quassia, Oil of Wormseed, Oil of Anise, Oxide of Iron, Charcoal, Sulphur, Bicarbonate of Soda, Sodium Chloride, Kamala, Tobacco, Foenugreek, Glauber Salt, Sulphate of Iron," "Mineralized Yeast Feeds * * * Iodized Limestone (98% Calcium Carbonate), Licorice, Rock Phosphate with Colloidal Clay, Wheat Middlings, Alfalfa Meal, Soybean Oil Meal, Bicarbonate of Soda, Sodium Chloride—salt—, Charcoal, Bone Meal, Yeast, Glauber Salt," "National Mange Oil * * * Paraffin Oil 96%, Pine Oil 2%, Cresylic Acid