

duction of better chicks and give chicks a better start and better livability; that its use would mean the difference between success and failure in the raising of chicks; that it would be efficacious to prevent the picking up of filth infection; and that it would prevent impaction and paralysis of the gizzard. The article did not contain mold-inhibiting properties, antiseptic oils, and other ingredients beneficial to chicks, and it would not be efficacious for the purposes claimed.

Analysis of the Neol disclosed that it contained mineral oil, eucalyptus, thyme, menthol, creosote, and chlorophyl. It was alleged to be misbranded in that certain statements in an accompanying booklet entitled "Gland-O-Lac Manual of Chicken Diseases" were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of white diarrhea (pullorum disease), respiratory diseases, common colds, contagious coryza, bronchitis, brooder pneumonia, nutritional roup, laryngotracheitis, bacterial bronchitis, and roup; and that it would be efficacious in the control of worms and coccidiosis. The article would not be efficacious for the purposes claimed.

On March 16, 1945, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on count 1 relating to the Coridene and \$50 on count 2 relating to the Neol, a total fine of \$150 plus costs.

1447. Misbranding of Master Floresine. U. S. v. 22 Bottles of Master Floresine. Default decree of condemnation. Product destroyed. (F. D. C. No. 13330. Sample No. 87320-F.)

On August 23, 1944, the United States attorney for the District of South Dakota filed a libel against 22 pint bottles of Master Floresine, at Salem, S. Dak., alleging that the article had been shipped on or about April 19, 1944, by the Master Laboratories, from Omaha, Nebr.

Examination of a sample disclosed that the article consisted essentially of sulfonated castor oil with small amounts of water, guaiacol, cresol, camphor, oil of eucalyptus, and oil of tar.

The article was labeled in part: (Container label) "when taken internally it exerts an expectorant effect throughout the respiratory tract * * * In some cases when they are too sick to move about to drink or feed, then individual dosing will have to be given with a dose syringe. * * * There are certain ingredients in Master Floresine, which are highly beneficial when inhaled by the animals. * * * Although this medication product was designed for use in treating swine, it is of equal value in respiratory diseases of various other animals and birds. It is an efficient * * * antiferment and febrifuge. A direct local action is obtained when the animals inhale the vapors."

The article was alleged to be misbranded in that the statements on its label were false and misleading since the article, when used as directed, would not be effective in the prevention or treatment of any disease condition affecting the respiratory tract of animals; and, when taken internally, it would not exert an expectorant effect throughout the respiratory tract of animals.

On October 2, 1944, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be disposed of by the marshal. The product was destroyed.

1448. Misbranding of Dyatrol and Alkamix. U. S. v. 18 Packages of Dyatrol and 33 Packages of Alkamix. Default decree of condemnation and destruction. (F. D. C. No. 13307. Sample Nos. 54230-F, 54231-F, 54259-F, 54260-F.)

On August 23, 1944, the United States attorney for the District of Arizona filed a libel against 9 7-ounce packages and 9 15-ounce packages of Dyatrol, 22 2-pound packages and 11 6-pound packages of Alkamix, and a quantity of circulars entitled "On the March with Cooke's Tested Poultry Formulae . . . and in step for Better Poultry," and leaflets entitled "Cooke's Tested Poultry Formulae Alkamix The Whys and Wherefores," at Glendale, Ariz., alleging that the articles and the printed matter had been shipped on or about January 20, 1944, by Cooke Laboratory Products, Sepulveda, Calif.

Analysis disclosed that the Dyatrol consisted of coal-tar dyes, including methylene blue and methyl violet; ammonium chloride; phenolic substances; 53 percent of an acid-insoluble mineral, such as talc; and aromatics. Bacteriological examination showed that it failed to kill typhoid- and pus-producing organisms in 19 hours, when diluted as directed in the labeling. It was alleged to be misbranded because of false and misleading statements in the accompanying circulars and leaflets which represented and suggested that the article was an antiseptic; and

that it would be efficacious in preventing the spread of disease and in treating common colds, coughs, "wheezing," and minor bronchial irritations. The article was not an antiseptic, and it would not be an effective preventive or treatment of any disease condition affecting poultry.

Analysis of the Alkamix disclosed that it contained sodium phosphate, 40 percent; sodium thiosulfate, 15 percent; Epsom salt, 10 percent; dextrin, 8 percent; and smaller proportions of other compounds, including iron sulfate, an iodide, and a phenolic compound such as sodium orthophenylphenate. Bacteriological examination showed that the article diluted as recommended in the labeling failed to kill typhoid organisms in 6 hours or pus-producing organisms in 24 hours. It was alleged to be misbranded in that certain statements in the accompanying circulars and leaflets were false and misleading since they represented and suggested that the article would be efficacious in the prevention or treatment of various toxemias, colds, coryza, sinusitis, diarrhea, intestinal parasites, coccidiosis, enteritis, blackhead, and acidosis; that it would increase the water and feed consumed by poultry; that it was an antiseptic; that it was of value in checking the development of harmful bacterial and fungus growths in the drinking water and crop; that it would aid in maintaining the acid-alkaline balance of the body fluids; and that it would stimulate metabolism or normal body functions. The article would not be efficacious for such purposes or for any disease condition of poultry.

On October 3, 1944, no claimant having appeared, judgment of condemnation was entered and the products, including the circulars and leaflets, were ordered destroyed.

1449. Misbranding of Robertson's Worm Expeller. U. S. v. 144 Packages of Robertson's Worm Expeller. Default decree of condemnation and destruction. (F. D. C. No. 13076. Sample No. 80113-F.)

On July 27, 1944, the United States attorney for the Eastern District of Illinois filed a libel against 144 1-pound packages of the above-named product at East St. Louis, Ill., alleging that the article had been shipped on or about April 26, 1944, by the F. B. Chamberlain Co., from St. Louis, Mo.

The article was alleged to be misbranded in that the name on the label, "Worm Expeller For Hogs," was false and misleading since examination showed that the article contained 61 percent of inorganic material, including compounds of iron, magnesium, and sodium, with plant material derived from arca nut, and a small proportion of American wormseed; and an article of this composition would have no value as an expeller for any species of worms that infest hogs.

On August 22, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1450. Misbranding of Dry Protosep. U. S. v. 1 Barrel of Dry Protosep. Default decree of condemnation and destruction. (F. D. C. No. 12883. Sample No. 58699-F.)

On July 6, 1944, the United States attorney for the Eastern District of Virginia filed a libel against 1 barrel containing 250 pounds of Dry Protosep at Richmond, Va., alleging that the article had been shipped on or about May 31, 1944, from Myerstown, Pa., by the Whitmoyer Laboratories, Inc. The article was labeled as containing the following: "Ingredients Active:—Hydrochloric Acid, Benzoic Acid, Lactic Acid, Thymol, Oil of Eucalyptus, Fortified Cod Liver Oil, Copper Gluconate, Calcium Gluconate. Inert:—Bentonite, Vegetable Pulp, Water."

The article was alleged to be misbranded in that the following labeling statements were false and misleading: (Barrel label) "A scientific flock treatment for growing stock and layers * * * for Prevention—When the chicks become 2 weeks of age, proceed as follows: Administer dry PROTOSEP one day each week, using four pounds (4%) of dry PROTOSEP and 3 lbs. (3%) Epsom Salts to every 100 pounds of regular mash (or use the special formula shown under 'Treatment') one day each week. Continue to feed this PROTOSEP treated mash one day each week until the chicks become 10 or 12 weeks of age"; (pink tag label accompanying the article) "* * * DRY PROTOSEP For the Control and Treatment of Coccidiosis * * * For Prevention— * * * administer DRY PROTOSEP mash one day each week. * * * —For Treatment— * * * Start feeding PROTOSEP treated mash for the balance of the day and for the next 3 days. Take away all grain until the treatment is completed. At the conclusion of the 4-day treatment start the regular feeding