DISPOSITION: May 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1642. Misbranding of Kalergin Tablets. U. S. v. 30 Bottles of Kalergin Tablets. Default decree of condemnation and destruction. (F. D. C. No. 15852. Sample No. 29072–H.)

LIBEL FILED: April 2, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about November 2, 1944, from Brooklyn, N. Y., by the United Cigar-Whelan Stores Corporation.

PRODUCT: 30 100-tablet bottles of *Kalergin Tablets* at San Francisco, Calif. Analysis showed that the product was a 5-grain potassium chloride tablet.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement, "For the temporary relief of allergic symptoms due to pollen sensitivity," was false and misleading since the article would not be effective in the relief of such symptoms.

DISPOSITION: May 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS FOR VETERINARY USE

1643. Misbranding of Apco Apcolene and Apco Brooder and Litter Spray. U. S. v. The American Products Co., Inc. Plea of guilty. Fine, $300 and costs. (F. D. C. No. 14291. Sample Nos. 40527–F, 40529–F, 72380–F.)

INFORMATION FILED: April 7, 1945, District of Kansas, against the American Products Co., Inc., Kansas City, Kans.

ALLEGED SHIPMENT: On or about April 10 and May 18, 1944, from the State of Kansas into the State of Iowa.

PRODUCT: Analyses disclosed that a portion of the *Apco Apcolene* was a purple-red liquid with a red-brown sediment, containing, in aqueous solution, copper sulfate, iron sulfate, manganese sulfate, magnesium sulfate, and propylene glycol, colored with FD & C Red No. 2; that the remainder of the *Apco Apcolene* consisted chiefly of water and copper, iron, aluminum, magnesium, and manganese sulfates, colored with a red dye; and that the *Apco Brooder and Litter Spray* was a dark brown, oily liquid with a small amount of brown sediment and consisting chiefly of coal-tar hydrocarbons and phenolic compounds.

NATURE OF CHARGE: *Apco Apocolene*, misbranding, Section 502 (a), certain statements appearing upon accompanying placards and circulars entitled "Fight Coccidiosis," "Mycosis-Fungi," "Doc Apco Sez * * * Directions [including diagnosis and treatment charts]," "Auto Diagnosis Disease Chart," and "Apco A Drinking Water Medicine * * * Apcolene," were false and misleading since the article would not be efficacious for the purposes stated and implied. The statements represented and suggested that the article would be efficacious in increasing the health and vigor of poultry; that it would be efficacious in the cure, mitigation, treatment, and prevention of coccidiosis, blackhead, microscopic parasites, and mycosis; that it would save poultry flocks and keep poultry alive; that it would save the lives of sick and dying chickens, turkeys, and other poultry; and that it would result in continued and increased production of eggs.

Apco Brooder and Litter Spray, misbranding, Section 502 (a), certain statements upon an accompanying placard and circular entitled "Fight Coccidiosis" were false and misleading since the article would not be efficacious for the purposes stated and implied. The statements represented and suggested that the article, when used in compliance with specific directions for cleaning and disinfecting poultry brooder and laying houses, would be efficacious in the prevention and would aid in the treatment of coccidiosis.

DISPOSITION: April 24, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $100 on each of 3 counts, a total fine of $300, plus costs.

1644. Misbranding of Hilltop Wor-Mor, K–M, and Mor-O. U. S. v. Fred H. Moore (Hilltop Laboratories and Hilltop Specialties Co.). Plea of nolo contendere. Fine, $900. (F. D. C. No. 12534. Sample Nos. 8765–F to 8767–F, incl.)

INFORMATION FILED: September 26, 1944, District of Minnesota, against Fred H. Moore, trading as the Hilltop Laboratories and the Hilltop Specialities Co., Minneapolis, Minn.