2396. Misbranding of Hilltop K–M. U. S. v. 5 Bottles, etc. (and 3 other seizure actions). (F. D. C. Nos. 22689, 23102, 23103, 23112. Sample Nos. 73418–H, 77098–H, 77388–H to 77390–H, incl., 77392–H.)

LIBELS FILED: March 12 and May 6 and 12, 1947, Western District of Wisconsin and Northern District of Iowa.

ALLEGED SHIPMENT: On or about May 23, 1946, and March 31 and April 7 and 23, 1947, from Minneapolis, Minn., by Hilltop Laboratories.

PRODUCT: 78 bottles and 130 jugs of *Hilltop K-M* at Madison and Darlington, Wis., and Clear Lake and Maynard, Iowa. The bottles and jugs were in 1-gallon, half-gallon, and 1-quart sizes. Analysis showed that the product consisted essentially of water with small amounts of potassium dichromate, potassium chlorate, potassium nitrate, epsom salt, and an acid.

NATURE OF CHARGE: 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 was effective as a tonic and laxative for poultry and was effective as a drinking water antiseptic for poultry; and that the article was effective to kill, in the drinking water of poultry, the pathogenic organisms *Salmonella pullorum*, *Schigella gallinarum*, *Salmonella typhimurium*, and *Pasteurella avicidia*, and thereby treat and prevent the poultry diseases caused by such organisms, namely, pullorum, typhoid, paratyphoid, and cholera. The article would not be effective for such purposes.

DISPOSITION: April 22 and June 3, 18, and 23, 1947. Default decrees of condemnation and destruction.

2397. Misbranding of Hilltop Mor-O. U. S. v. 30 Bottles, etc. (F. D. C. No. 23133. Sample No. 77391–H.)

LIBEL FILED: May 24, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: By Hilltop Laboratories, from Minneapolis, Minn. The product was shipped on or about June 1946, and March 31, 1947, and a number of magazines were shipped on or about April 1, 1947.

PRODUCT: 30 1-quart bottles of *Hilltop Mor-O* at Maynard, Iowa, together with 5 magazines entitled "Hilltop Poultry News," spring issue 1946. Analysis disclosed that the product consisted essentially of water, lactic acid 23.4 percent, tannin extracts, and small amounts of benzoic acid and sodium thiosulfate.

LABEL, IN PART: "Hilltop * * * Liquid Mor-O."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "For Non-Infectious Enteritis * * * Lactic Acid (46%)" and the statement in the magazine "Use Mor-O (Liquid) in poultry drinking water for non-infectious enteritis" were false and misleading, in that such statements represented and suggested that the article when used as directed was effective for the treatment of noninfectious enteritis in poultry, whereas it was not effective for such purpose; and in that poultry raisers could not differentiate between noninfectious enteritis and enteritis due to any infectious agent and would therefore be misled into using the article in the treatment of enteritis in their flocks without due regard to the cause of the enteritis.

DISPOSITION: June 28, 1947. Default decree of condemnation and destruction.

DRUG ACTIONABLE BECAUSE OF OMISSION OF, OR UNSATISFACTORY, INGREDIENTS STATEMENTS*

2398. Misbranding of Ramol (mineral oil). U. S. v. Warren J. Frank and Douglass B. Pew (Frank Pew Oil Co.). Pleas of guilty. Fines of $300 and $600, plus costs, against defendants Frank and Pew, respectively. (F. D. C. No. 23214. Sample No. 49351–H.)

INFORMATION FILED: August 5, 1947, Northern District of Ohio, against Warren J. Frank and Douglass B. Pew, trading as copartners under the name of the Frank Pew Oil Co., Cleveland, Ohio.

ALLEGED SHIPMENT: On or about August 20, 1946, from the State of Ohio into the State of Mississippi.

LABEL, IN PART: "Ramol * * * U. S. P."

NATURE OF CHARGE: Misbranding, Section 502 (e) (1), the article was not designated solely by a name recognized in an official compendium, and its label failed to bear the common or usual name of the drug, i. e., mineral oil.

*See also Nos. 2359, 2361, 2364, 2378, 2384.