

*Liquid for Poultry*; 7 1-quart bottles of *CWD Liquid for Poultry*; and 1 15-pound drum of *Nowaton*, at George, Iowa, together with a number of leaflets entitled "Get More Eggs!" post cards entitled "Double the Aid with this Powerful Combination," and booklets entitled "Guide to Poultry Service," which were delivered to the consignee of the products by a salesman of the shipper on or about June 12, 1947.

Analyses disclosed that the *MBX Liquid for Poultry* consisted essentially of water, with small amounts of potassium chlorate, potassium dichromate, and volatile oils such as camphor, eucalyptus, guaiacol, and creosote; that the *Kolex Liquid for Poultry* consisted essentially of water, with small proportions of potassium nitrate, potassium chlorate, potassium dichromate, and epsom salt; that the *FTC Liquid for Poultry* consisted essentially of water, with small amounts of zinc, sodium, calcium and copper phenolsulfonates; that the *CWD Liquid for Poultry* consisted essentially of water, with small proportions of calcium, sodium, zinc and copper phenolsulfonates with ipecac and extract of quebracho; and that the *Nowaton* consisted essentially of a powdered mixture containing copper and iron sulfates, and plant material including fragments of seeds, bark, roots, woody leaves, resins, starch, and small amounts of nicotine, potassium iodide, and strychnine.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading, since the articles when used as directed were not effective for the purposes represented. The statements represented and suggested that the *MBX Liquid for Poultry* when used as directed was effective in the treatment of fowl pox, dry pox, wet pox (diphtheritic type), bronchitis, laryngotracheitis, colds, roup, lesions of fowl pox, swellhead, sinusitis, and bowel troubles; that the *Kolex Liquid for Poultry* when used as directed was effective in the treatment of botulism, commonly known as limberneck in poultry; that the *FTC Liquid for Poultry* when used as directed was effective in the treatment of intestinal disturbances in chickens, turkeys, ducks, and geese; that the *CWD Liquid for Poultry* when used as directed was effective in the treatment of coccidiosis of chickens and turkeys, and of blackhead in turkeys; and that the *Nowaton* when used as directed was effective in the treatment and prevention of lazy hens, run-down conditions of flocks, fowl tuberculosis, fowl cholera, fowl typhoid, botulism (limberneck), fowl pox, dry pox, wet pox (diphtheritic type), laryngotracheitis, bronchitis, fowl paralysis (avian leukosis, complex leukosis, leukemia), coccidiosis, intestinal type coccidiosis, roup, colds, mycosis, blackhead in turkeys, lesions of fowl pox, swellhead, sinusitis, trichomoniasis, and hexamitiasis.

**DISPOSITION:** December 13, 1947. Default decree of condemnation and destruction.

**2446. Misbranding of Semi-Solid Pig Emulsion. U. S. v. 17 Barrels \* \* \***  
(F. D. C. No. 15707. Sample No. 13528-H.)

**LIBEL FILED:** March 20, 1945, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about October 24, 1944, by the Consolidated Products Co., from Danville, Ill.

**PRODUCT:** 17 barrels, each containing 400 pounds, of *Semi-Solid Pig Emulsion* at Lebanon, Ind. Analysis showed that the product was a semisolid mixture of water, casein, lactose, mineral salts, and fats, including fish oil, and that it contained 9.27 percent of protein.

**LABEL, IN PART:** (Tag) "Guaranteed Analysis \* \* \* Crude Protein, not less than 11.0%"; (folder headed "Complete Instructions for Feeding Semi-Solid Pig Emulsion") "Pigs and Sows Necro Treatment A half-pound of Semi-Solid Pig Emulsion per day per pig from weaning to market, is worth a hundred pounds per pig of cure. Feed it every day to safeguard your herd."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the folder were false and misleading, since they represented and suggested that the product would be effective in the prevention and treatment of "necro" or necro-enteritis in pigs and sows. The product would not be effective for such purposes.

The product was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 13102.

**DISPOSITION:** The Consolidated Products Co., claimant, filed an answer admitting for the purpose of the instant case only, that the product was misbranded, but stating specifically that the admission was made without prejudice to the

right of the claimant to allege and prove in any other action that the product or any like or similar product was not a drug and was not misbranded. The claimant also consented to the entry of a decree of condemnation against the product. In accordance with the answer and consent of the claimant, judgment of condemnation was entered on September 7, 1945, and the product was ordered released under bond for the purpose of relabeling under the supervision of the Federal Security Agency. On October 29, 1945, the claimant filed a report with reference to the disposition of the product, alleging that by reason of a mistake made in good faith the product had been redelivered to the claimant and reprocessed and used in the feeding of hogs on an experimental farm owned by the claimant, prior to the entry of the decree of condemnation. On the same date, the court having found that the above-described disposition of the product was occasioned by a good-faith mistake, an order was entered providing for the cancellation of the bond and the release of the claimant and its surety from further liability thereon.

**2447. Misbranding of lye. U. S. v. 78 Cases \* \* \*. (F. D. C. No. 24367. Sample No. 21302-K.)**

**LIBEL FILED:** March 4, 1948, Eastern District of Oklahoma.

**ALLEGED SHIPMENT:** On or about December 28, 1947, by the Bray Chemical Co., from Chicago, Ill.

**PRODUCT:** 78 cases, each containing 48 cans, of *lye* at Muskogee, Okla. Analysis showed that the product consisted essentially of 95.6 percent of sodium hydroxide or lye and a small amount of sodium carbonate.

**LABEL, IN PART:** (Cans) "13 Ounces Net Weight Griffin's High Test Lye."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statement "For Hogs—Griffin's Lye Is An Aid in Preventing Hog Cholera and Eradicating Worms" was false and misleading, since the article was not effective as an aid in preventing hog cholera and was not effective in eradicating worms which infest hogs.

The article was alleged also to be misbranded under the Federal Caustic Poison Act, as reported in notices of judgment on caustic poisons under that Act.

**DISPOSITION:** June 14, 1948. The Griffin Grocery Co., Muskogee, Okla., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

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

**2448. Misbranding of Estrinol. U. S. v. Bellevue Laboratories, Inc., and Chiam Dick. Pleas of guilty. Fine of \$100 against defendants jointly. (F. D. C. No. 20109. Sample No. 4447-H.)**

**INFORMATION FILED:** January 29, 1948, Southern District of New York, against Bellevue Laboratories, Inc., New York, N. Y., and Chiam Dick, president.

**ALLEGED SHIPMENT:** On or about March 16, 1945, from the State of New York into the State of Pennsylvania.

**NATURE OF CHARGE:** Misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label did not bear the common or usual name of the active ingredients.

**DISPOSITION:** July 14, 1948. Pleas of guilty having been entered, the court imposed a fine of \$100 against the defendants jointly.

#### **DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS\*\***

**2449. Misbranding of sulfathiazole tablets. U. S. v. 430 Bottles \* \* \*. (F. D. C. No. 24495. Sample No. 7810-K.)**

**LIBEL FILED:** March 18, 1948, Western District of New York.

**ALLEGED SHIPMENT:** On or about December 23, 1947, by the Atlanta General Distribution Depot, from Atlanta, Ga.

\*See also Nos. 2403, 2408, 2409.

\*\*See also Nos. 2403, 2420.