

pernicious anemia, cardiovascular and renal diseases, insomnia, hay fever, dyspepsia, headaches, inactive liver and kidneys, syphilis, and rheumatism of gonococcal origin. The device was not capable of fulfilling the promises of benefit made for it, and it was not effective in the treatment of the diseases and conditions stated and implied.

DISPOSITION: January 30, 1953. Default decree of forfeiture. The court ordered that the device and the pamphlets be delivered to the Federal Security Agency.

#### DRUGS FOR VETERINARY USE

3979. Misbranding of Nutrels. U. S. v. 17 Bags \* \* \*. (F. D. C. No. 31396. Sample No. 7856-L.)

LIBEL FILED: July 25, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: The product was shipped on or about January 6, 1951, by the Martin-Anderson Co., from Oak Ridge, Tenn., and a number of leaflets relating to the product were shipped at various times by Inorganic Bioelements, Inc., from Cleveland, Ohio.

PRODUCT: 17 100-pound bags of *Nutrels* at St. Marys, Pa., together with a number of leaflets entitled "The New Frontier of Agriculture," "The Role of Manganese," "Just A Trace May Help Your Stock," "Good-Bye Bang's Disease," and "Bang's Disease and Undulant Fever."

Analysis of the product disclosed the presence of inorganic salts, principally a manganese compound.

LABEL, IN PART: (Bag) "Ingredients: Manganese, copper, cobalt, zinc, magnesium sulfate, anise & molasses."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets which accompanied the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for brucellosis (Bang's disease in cattle), mastitis (garget in pigs), many breeding troubles, irritability, lack of nerve control, poor appetite, convulsions in calves, lameness in pigs, deformed front legs of rabbits, bowleggedness in calves, females unable to suckle their young, sterility in males, pale blood and pale skin color of cattle, sheep, and goats, thumps (anemia, difficult breathing) in pigs, pullorum in chicks, listlessness, retarded glandular activity, stunted growth and acetonemia in cattle, goats, and swine, pathogenic intestinal microflora in ruminants, multiple disorders, abortive troubles in ruminants, falling disease or heart failure, scours, soft and brittle bones, and swollen joints in animals; that the article was an adequate and effective treatment to correct livestock deficiencies of zinc; to cause cows to eat better, look better, milk better, breed better, and to make them healthier all around and easier to settle; to increase the milk supply of cows; to insure a higher butterfat content and a lower bacteria count in raw milk; to insure more and better calves; to eliminate the need for artificial help with afterbirth; to improve the breeding quality of bulls and the conception rate of cows; to prevent anemia; to have a synergistic effect as essential biocatalysts in the formation of enzymes, hemoglobin, proteins, hormones, etc., leading to disease resistance; and to change Bang's reactors to negative; that the article possessed antibacterial properties and thus constituted antibiotics [sic]; and that the article would be effective to improve lamb and sheep flocks, improve their appetites, and increase their weight and resistance to pneumonia and parasites, to cure unthrifty sheep and improve their growth,

to increase the weight and improve the coats of animals, to correct breeding troubles, and to improve the quality of the sperm of bulls. The article was not an adequate and effective treatment for such conditions, and it was not capable of fulfilling the promises of benefit made for it.

**DISPOSITION:** January 9, 1953. Default decree of condemnation and destruction.

**3980. Misbranding of Vito. U. S. v. 400 Bags, etc. (F. D. C. No. 33325. Sample Nos. 1987-L, 1988-L.)**

**LABEL FILED:** July 2, 1952, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about March 20, 1952, by Browar Products, Inc., from Elwell, Mich.

**PRODUCT:** 400 5-pound bags of *Vito* for turkeys, hogs, cattle, chickens, and other livestock, and 200 4-pound bags of *Vito* for dogs and cats at West Hollywood, Fla., together with a number of pamphlets entitled "Vito for Turkeys, Hogs, Cattle, Chickens, and Other Livestock" and "Vito for Dogs and Cats," a number of placards entitled "Vito for Dogs and Cats," and a number of copies of testimonial sheets.

**LABEL, IN PART:** (Bag) "Vito for Turkeys-Hogs Cattle-Chickens and Other Livestock \* \* \* Contains—Calcium Carbonate not less than 20%, Sulphate of Iron, Phosphorous 3.5%, Sodium Chloride not more than 25%, Magnesium Sulphate, Specially Prepared Wood Ash, Baked Bone Meal," and "Vito for Dogs and Cats \* \* \* Contains Calcium Carbonate not less than 20%, Phosphorous 3.5%, Sulphate of Iron, Sodium Chloride not more than 25%, Magnesium Sulphate, Specially Prepared Wood Ash, Baked Bone Meal."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets, placards, and testimonial sheets were false and misleading since the articles were not effective in the prevention and treatment of the diseases and conditions represented and suggested and were not capable of fulfilling the other promises of benefit made for them. With respect to the *Vito* for turkeys, hogs, cattle, chickens, and other livestock the statements represented and suggested that the article was effective in the prevention and treatment of worms, rickets, parasitic attacks, neurotic [sic] enteritis, blackhead, coccidiosis, malnutrition, diarrhea, and scours in calves; that the article had tonic properties; that it would promote good health, good growth, and better offspring; that it would prevent parasites and keep animals in top condition; and that it would insure against many profit-robbing diseases. With respect to the *Vito* for dogs and cats, the statements represented and suggested that the article was effective in the prevention and treatment of worms and rickets; that the article would prevent running fits and rickets, promote good health, good growth, and healthy offspring, keep animals in top condition and dogs in sound health with sleek coats, promote appetite and cure lack of appetite due to worms, and promote husky litters and guard the health of the mother; and that the article would assure against worms, scours, parasitic and bacteriatic [sic] troubles, and act as a general health and body builder.

**DISPOSITION:** August 1, 1952. Default decree of forfeiture and destruction.