from Mt. Olivet, Colo., by the Superior Products Co.; and charging that it was misbranded. The article was labeled in part: "Superior Chemicals * * * [Pictures of horse, sheep, ass, shorthorn, pig, and bull] * * * Sodium Salicylate."

Analysis disclosed that the article contained salt (58.4 percent), calcium carbonate (25.9 percent), small amounts of other mineral substances, charcoal, and turpentine oil; and that it contained no sodium salicylate.

The article was alleged to be misbranded because of false and misleading statements appearing in circular letters accompanying it which represented and suggested that the article was of value in the prevention and treatment of diseases of livestock due to insect or parasitic infestations, and also in the treatment of scours, mange, worms, and boils, retention of afterbirth, kidney trouble, pneumonia, abortion, ringworm, lumpy jaw, and sleeping sickness. The article was alleged to be further misbranded in that the statement on the label, "Active Ingredients * * * Sodium Salicylate," was false and misleading since the article contained no sodium salicylate.

On May 20, 1944, the Cremer-Erickson Co., Reno, Nev., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

1297. Misbranding of Bob Armstrong's Distemper Remedy. U. S. v. 12 Boxes of Bob Armstrong's Distemper Remedy. Default decree of condemnation and destruction. (F. D. C. No. 11970. Sample No. 35678–F.)

On March 11, 1944, the United States attorney for the Western District of South Carolina filed a libel against 12 boxes, each containing 4 capsules, of the above-named product at Laurens, S. C., alleging that the article had been shipped on or about October 10, 1943, from Fitzgerald, Ga., by R. K. Armstrong; and charging that it was misbranded.

Examination of a sample of the article disclosed that the capsules contained large and varying amounts of arsenic, opium, and ginger.

The article was alleged to be misbranded (1) in that the name "Distemper Remedy," and the statements appearing in the circular contained in the package, "Very often a sick dog will not eat from a man, but will eat when given food by a woman. A sick dog needs careful nursing. At the very first symptoms give a capsule, for if caught early often three applications are enough," were false and misleading since the article would be of no value whatever in the treatment of the disease of dogs known as distemper; (2) in that its label failed to bear an accurate statement of the quantity of contents; and (3) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each active ingredient, or the quantity of arsenic contained therein.

On April 11, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1298. Misbranding of Munchy Dog Food. U. S. v. 224 Bags, 72 Bags, and 164 Bags of Dog Food. Default decree of condemnation and destruction. (F. D. C. No. 11845. Sample Nos. 49863–F, 49864–F.)

On February 18, 1944, the United States attorney for the Western District of Pennsylvania filed a libel against 224 5-pound bags and 72 2-pound bags of dog food (meal), and 164 2-pound bags of dog food (pellets), at Erie, Pa., alleging that the article had been shipped on or about December 28, 1943, by the Park & Pollard Co., Inc., from Buffalo, N. Y.; and charging that it was misbranded.

The article was labeled in part: "Meat Laden Munchy Dog Food (Meal)," or "Munchy Pellets * * * Munchy Dog Food," On the labels the ingredients of the product were declared as: "Meat Scraps, Flaked Corn and Wheat Cereal, Dried Yeast, Dried Skim Milk, Soybean Meal Flakes, Ground Malt, Fish Meal, Kelp, Wheat Germ Oil, Calcium Carbonate, Bone Meal, Manganese Sulphate, Fortified Cod Liver Oil. Guaranteed Analysis Protein (at least) 26%." Examination revealed that the product had essentially the qualitative composition stated on its label; that the only meat constituent of the product was meat and bone scraps, which were present to the extent of less than 10 percent; and that the product contained 12 percent less than the 26 percent of protein declared.

The article was alleged to be misbranded in that the statements on the label, "Aids in Maintaining Good Health Growth A Full, Rich Coat Good Bone Formation Sound Teeth Sweet Breath Healthy Skin Resistance to Colds and Distemper * * * Safeguards Against Rickets, Black Tongue & Other Diseases Due to Nutritional Deficiencies," were false and misleading since the article would not accomplish the results suggested and implied.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On April 12, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

1299. Misbranding of Magic Fire Liniment. U. S. v. George Foster, Inc., and George Foster. Pleas of guilty. Fines: $100 against corporate defendant, $500 against individual defendant. (F. D. C. No. 10589. Sample No. 8692-F.)

On December 27, 1943, the United States attorney for the District of Minnesota filed an information against George Foster, Inc., St. Paul, Minn., and George Foster, president of the corporation, alleging shipment from the State of Minnesota into the State of Wisconsin, on or about March 12, 1943, of a quantity of the above-named product. The article was labeled in part: (Bottles) "Magic Fire Red Hot Wonder Liniment."

The article was alleged to be misbranded in that it was not sold under a name recognized in an official compendium, and it was fabricated from two or more ingredients and its label did not bear the common or usual name of each active ingredient.

It was also alleged in the information that another article, Egg-O-Save, was misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On February 19, 1944, pleas of guilty having been entered by and on behalf of the defendants, the court imposed a fine of $100 against the corporation and a fine of $500 against the individual.

1300. Misbranding of an unlabeled drug product. U. S. v. 768 Packages of an Unlabeled Drug Product. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 10952. Sample No. 3924-F.)

On or about October 20, 1943, the United States attorney for the Western District of Missouri filed a libel against 768 packages of an unlabeled drug product at Kansas City, Mo., alleging that the article had been shipped on or about September 14, 1943, from Detroit, Mich., by the Nu-Basic Products Co.

Analysis of a sample showed that the article consisted essentially of unsaponifiable oil containing small proportions of carbolic acid, sulfanilamide, a saponifiable oil, and water.

The article was alleged to be misbranded in that it did not bear a label containing the name and place of business of the manufacturer or distributor, nor an accurate statement of the quantity of contents in terms of weight or measure; and in that it was fabricated from two or more ingredients and was not labeled to show the common or usual names of the active ingredients.

On October 26, 1943, the Nu-Basic Products Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for labeling in compliance with the law, under the supervision of the Food and Drug Administration.

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*See also Nos. 1258, 1260, 1261, 1274–1277, 1297.

[1] Prosecution contested.