1399. Misbranding of veterinary products. U. S. v. 51 Packages of Ger-Mo-Kill Poultry Bars, 21 Packages of Hog Wormer and Conditioner (Ger-Mo-Kill Pig and Hog Bars), and 21 Packages of Ger-Mo-Kill Sheep and Lamb Bars. Default decree of destruction. (F. D. C. No. 11989. Sample Nos. 8499–F, 8500–F, 40714–F, 40715–F.)

On March 17, 1944, the United States attorney for the District of Minnesota filed a libel against the above-mentioned products at Mountain Lake, Minn., alleging that the articles had been shipped by the Ger-Mo-Kill Chemical Co., from Colfax, Iowa, between the approximate dates of September 30, 1943, and January 20, 1944.

Examination disclosed that the Poultry Bars were red bars containing, chiefly, napthalene, with small proportions of Epsom salt, copper sulfate, formaldehyde, kamala, creosote, and tobacco. The article was alleged to be misbranded in that certain statements in its labeling were false and misleading, since they represented and suggested that the article would be efficacious in the prevention and removal of worms in chickens and turkeys and in the treatment and prevention of coccidiosis, roup, bronchitis, colds, blackhead, and intestinal infections in chickens and turkeys, whereas the article, when used as directed, did not possess germicidal or worm-expelling properties for the prevention or treatment of any infectious or parasitic disease condition of poultry.

Examination disclosed that the Hog Wormer and Conditioner consisted of a green bar containing, chiefly, naphthalene, with small proportions of Epsom salt, copper sulfate, formaldehyde, creosote, and plant material. The article was alleged to be misbranded in that certain statements in its labeling were false and misleading, since they represented and suggested that the article would be efficacious in the treatment and prevention of necro and flu and in the prevention and destruction of worms in hogs, whereas the article did not possess germicidal or worm-expelling properties for the prevention or treatment of any infectious or parasitic disease conditions of hogs.

Examination of the Sheep and Lamb Bars disclosed that the article consisted essentially of naphthalene and small proportions of phenothiazine, Epsom salt, copper sulfate, and sodium bicarbonate. The article was alleged to be misbranded in that certain statements in its labeling were false and misleading, since they represented and suggested that the article possessed germicidal and worm-expelling properties and would be effective in the prevention and treatment of serious disease conditions of sheep and lambs and in the removal of any species of worms that infest sheep, whereas the article did not possess the properties claimed and would not be effective for the purposes recommended.

On January 8, 1945, the sole intervenor having withdrawn its claim and answer, judgment was entered ordering that the products be destroyed.

1400. Misbranding of Singer's Earth Crust Minerals. U. S. v. 20 Bags of Singer's Earth Crust Minerals, and a number of circulars. Default decree of forfeiture and destruction. (F. D. C. No. 12345. Sample No. 8446–F.)

On May 13, 1944, the United States attorney for the Western District of Wisconsin filed a libel against 20 100-pound bags of the above-named product and a number of circulars entitled "Singer's Earth Crust Minerals," at Bangor, Wis., alleging that the article and the circulars had been shipped on or about November 12, 1943, from Barrington, Ill., by the Chain of Lakes Duck Farm (E. Albert Singer).

Analysis of a sample showed that the article consisted essentially of clay or soil, calcium carbonate, a compound of phosphorus, and salt, including 13.4 percent calcium calculated as the metal, 1.3 percent phosphorus calculated as the element, and 12.6 percent salt.

The article was alleged to be misbranded in that certain statements on its label and in the accompanying circulars were false and misleading, since they represented and suggested that the article would be effective in keeping livestock and poultry healthy and in removing any species of worms from the intestines of livestock and poultry; that it would prevent poor digestion, loss of appetite, a run-down condition, and diseases in general; that it would lower mortality; that it would prevent the disease condition of poultry known as range paralysis; and that its use would save feeding costs, whereas the article, while it might furnish small amounts of certain food minerals, would not be efficacious for the purposes claimed.

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 February 17, 1945, no claimant having appeared, judgment of forfeiture was entered and the product, together with the circulars, was ordered destroyed.