1893. Misbranding of Super Gain Chemical Spray. U. S. v. 73 Jugs, 501 Cans, and 12 Drums of Chemical Spray, and 22 Circulars. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14858. Sample Nos. 87751–F, 87752–F.)

LIBEL FILED: January 2, 1945, District of Minnesota.

ALLEGED SHIPMENT: By Maier Chemical Spray, from Valley City, N. Dak. The product was shipped on or about July 24 and 31, 1944, and the circulars were shipped on or about July 27, 1944.

PRODUCT: 73 1-gallon jugs, 501 5-gallon cans, and 12 55-gallon drums of *chemical spray* at Sauk Centre, Minn., together with 22 circulars entitled "Super Gain Chemical Spray For Poultry and Livestock."

Examination showed that the product consisted essentially of mineral oil, with small amounts of carbon tetrachloride, nitrobenzene, and a fatty oil.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that, when used as directed, the article would have value in the prevention and treatment of disease conditions affecting the respiratory tract of poultry and other animals. The article, when used as directed, would not be of value in such conditions.

DISPOSITION: June 6, 1946. The Farmers Cooperative Elevator Co., Sauk Centre, Minn., 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.

1894. Misbranding of "Successful" Medicated Charcoal. U. S. v. 15 Packages of "Successful" Medicated Charcoal. Default decree of condemnation and destruction. (F. D. C. No. 17340. Sample No. 33158–H.)

LIBEL FILED: On or about September 17, 1945, District of Kansas.

ALLEGED SHIPMENT: On or about June 19, 1945, by the Des Moines Incubator Co., from Des Moines, Iowa.

PRODUCT: 12 5-pound packages, 2 25-pound packages, and 1 10-pound package of *"Successful" Medicated Charcoal* at Powhattan, Kans.

Examination showed that the product consisted essentially of charcoal, with approximately 7 percent of calcium carbonate and small proportions of epsom salt and sodium sulfate. The article was also found to be short-weight.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label and in the circular enclosed in the package of the article were false and misleading since they represented and suggested that the article was of therapeutic value in the treatment or prevention of disease conditions of poultry, whereas the article would not be of value for such purposes; and the label statements, "Medicated * * * Contains: Charcoal, Glaubers, White Oak Bark, Epsom total Drugs 100% Charcoal 85%," were false and misleading since they represented and suggested that the article contained therapeutically active medicinal agents which would be of value in the prevention or treatment of disease conditions of poultry, whereas it contained only insignificant proportions of the substances named, other than charcoal, and it would furnish no therapeutically active amount of any ingredient.

Further misbranding, Section 502 (b) (2), the article failed to bear labels containing accurate statements of the quantity of the contents since the contents of the package were less than the amounts stated upon the labels.

DISPOSITION: November 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1895. Misbranding of poultry remedies. U. S. v. 4 Bottles of Chicken Wormer Medicine, 4 Bottles of Chicken RT Medicine, 10 Cans of Red Ball Poultry Regulator, and a number of booklets. Default decree of condemnation and destruction. (F. D. C. No. 16373. Sample Nos. 20066–H to 20068–H, incl.)

LIBEL FILED: June 15, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: By E. A. Dougherty and Sons, from Omaha, Nebr. The products were shipped between the approximate dates of February 19 and May 1, 1945, and the booklets were shipped on or about April 17, 1945.

PRODUCT: 4 ½-gallon bottles of *Chicken Wormer Medicine*, 4 ½-gallon bottles of *Chicken RT Medicine*, and 10 10-pound cans of *Red Ball Poultry Regulator*, together with a number of accompanying booklets entitled "Poultry Remedies," at Council Bluffs, Iowa.