The article was alleged to be misbranded in that representations in the labeling regarding its efficacy in effecting reduction of body weight in the consumer were false and misleading.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2977.

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

596. Misbranding of Pro-Gro Poultry Supplement. U. S. v. 3 10-Pound, 3 25-Pound, and 1 335-Pound Containers of Pro-Gro. Consent decree of condemnation and destruction. (F. D. C. Nos. 4379, 4380. Sample Nos. 43876-E, 43877-E.)

On April 21, 1941, the United States attorney for the District of Kansas filed a libel against the above-named product at Ottawa, Kans., alleging that it had been shipped by the Pro-Gro Co. from Kansas City, Mo., on or about January 28, 1941; and charging that it was misbranded. With the exception of the portion contained in one of the 10-pound containers, the article was unlabeled.

Analyses of samples of the product showed that it consisted essentially of cut plant material containing minute proportions of hydrochloric and sulfuric acids.

The labeled portion of the article was alleged to be misbranded in that the statements, "Pro—Produces More Eggs! Gro Grows More Meat! Poultry Supplement Fertility . . . Vitality," were false and misleading since they represented that it would be efficacious for the purposes recommended, whereas it would not be efficacious for such purposes; and in that the name "Pro-Gro," a combination of letters, was a false and misleading device which was interpreted to mean that the article would produce more eggs and grow more meat. Both the labeled and the unlabeled portions were alleged to be misbranded in that the article was in package form and the label failed to bear (1) a statement of the common or usual names of the active ingredients, and (2) an accurate statement of the quantity of contents. The portion in the unlabeled containers was alleged to be misbranded further in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor.

It also was alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2858.

On June 21, 1941, the claimant having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed.

597. Misbranding of Udder-Balm. U. S. v. 7⅙ Cases of Udder-Balm. Default decree of condemnation and destruction. (F. D. C. No. 3683. Sample No. 55386-E.)

On January 23, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named product at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about June 15, 1939, by Cash Davis Laboratories from St. Helens, Oreg.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of free iodine, combined iodine, petrolatum, and a fatty acid.

The article was alleged to be misbranded in that representations in the labeling that it would be efficacious for the treatment of mastitis and cowpox were false and misleading since it would not be efficacious for such purposes.

On June 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

598. Misbranding of worm remedies for poultry and hogs. U. S. v. 25 Packages of Kon-Trold Kamala Flock Treatment for Poultry, 17 Packages of Kon-Trold Nicotine for Poultry Round Worms, and 29 Packages of Kon-Trold Nicotine Herd Treatment for Hog Round Worms. Default decree of condemnation and destruction. (F. D. C. Nos. 4239 to 4241, incl. Sample Nos. 60046-E to 60048-E, incl.)

On April 10, 1941, the United States attorney for the District of Oregon filed a libel against the above-named products at Eugene, Oreg., alleging that they had been shipped by Kon-Trold Products Corporation from Burbank, Calif., on or about July 16, 1940; and charging that they were misbranded.

Analyses of samples of the articles showed that the Kamala Flock Treatment for Poultry consisted essentially of kamala resins and siliceous material; that the Nicotine for Poultry Round Worms consisted essentially of nicotine and rosin; and that the Nicotine Herd Treatment consisted essentially of nicotine and rosin.