Further misbranding, Section 502 (a), certain statements in the printed matter intended for use as labels were false and misleading. These statements represented and suggested that the article was bacteriostatic; that it was effective as a vermifuge; and that it was effective in bringing about and maintaining a state of health and vitality in poultry. The article was not bacteriostatic, and it was not effective for the purposes represented. Further misbranding, Section 502 (a), certain statements in the accompanying circulars which represented and suggested that the article was effective in keeping animals healthy and free from sickness and as a treatment for really sick animals; that it was effective to increase the appetite; that it would hasten the growth of cattle, maintain body health, and regulate digestion; that it was effective to build stronger, heavier bones; that it was effective to give better distribution of fat and to give finish to ranch, dairy, and farm animals; that vitamins are compounded within the bodies of plants and animals from the minerals contained in the foods consumed by them; and that due to depletion of the mineral content of our lands, the grasses and grains no longer contain minerals in quantities sufficient to nourish animals and produce top quality, were false and misleading. The article was misbranded under Section 502 (a) while held for sale after shipment in interstate commerce.

DISPOSITION: March 8, 1951. Southern Minerals, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

**3430. Misbranding of phenothiazine drench. U. S. v. 1 Drum * * *.** (F. D. C. No. 30790. Sample No. 522–L.)

LIBEL FILED: On or about March 27, 1951, District of Kansas.

ALLEGED SHIPMENT: On or about January 9, 1951, by the Thompson-Hayward Chemical Co., from Kansas City, Mo.

PRODUCT: 1 drum containing 150 pounds of *phenothiazine drench* at Girard, Kans.

LABEL, IN PART: "Phenothiazine Drench * * * From Atomic Basic Chemicals Corporation * * * Pittsburgh, Pa."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since its labeling bore no directions for use; and, Section 502 (f) (2), the labeling of the article failed to bear such adequate warnings against use in those pathological conditions where its use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: May 3, 1951. Default decree of condemnation and destruction.

## DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

**3431. Adulteration of burdock root, cocillana bark, jalap root, and white squill. U. S. v. 11 Bags, etc.** (F. D. C. No. 28685. Sample Nos. 10085–K, 10087–K to 10089–K, incl.)

LIBEL FILED: January 11, 1950, Eastern District of New York.

ALLEGED SHIPMENT: During 1942, on or about December 12, 1946, and November 18, 1947, and during June 1949, from various foreign countries.

PRODUCT: 11 110-pound bags of *burdock root*, 422 100-pound bales of *cocillana bark*, 16 160-pound bags of *jalap root*, and 160 60-pound bags of *white squill* at Brooklyn, N. Y., in possession of R. J. Prentiss & Co., Inc.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the articles consisted in part of filthy substances by reason of the presence of insects, and the *cocillana bark* consisted also in part of a decomposed substance by reason of the presence of mold; and, Section 501 (a) (2), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 27, 1950. R. J. Prentiss & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portions, under the supervision of the Federal Security Agency. The segregation operations resulted in the destruction of 693 pounds of *jalap root*, 1,112 pounds of *white squill*, and the entire lots of *burdock root* and *cocillana bark*.

## DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

**3432. Adulteration and misbranding of Biotropin. U. S. v. 126 Vials * * *.** (F. D. C. No. 29568. Sample No. 78426–K.)

LIBEL FILED: On or about September 8, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about April 25, 1950, from Los Angeles, Calif.

PRODUCT: 126 10-cc. vials of *Biotropin* at Seattle, Wash. Examination showed that the product contained materially less than 3,000 M. U. (mouse units) of pituitary gonadotropins per vial.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 3,000 mouse units of pituitary gonadotropins per vial.

Misbranding, Section 502 (a), the label statement "Ovine Pituitary Gonadotrophins * * * 3,000 M. U. Per Vial" was false and misleading as applied to an article which contained materially less than 3,000 mouse units of pituitary gonadotropins per vial.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: April 30, 1951. Default decree of condemnation and destruction.

**3433. Adulteration and misbranding of clinical thermometers. U. S. v. 120 * * *.** (F. D. C. No. 30903. Sample No. 30851–L.)

LIBEL FILED: April 5, 1951, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 11, 1951, by the Ideal Thermometer Co., Inc., from Brooklyn, N. Y.

*See also No. 3427.