894. Misbranding of Coxy Check. U. S. v. Clarence A. Near (Near Chemical Co.). Plea of guilty. Fine, $25. (F. D. C. No. 7279. Sample No. 58854-E.)

On July 13, 1942, the United States attorney for the District of Minnesota filed an information against Clarence A. Near, trading as the Near Chemical Co. at Minneapolis, Minn., alleging shipment on or about December 18, 1941, from the State of Minnesota into the State of Iowa of a quantity of Coxy Check which was misbranded.

Analysis showed that the article consisted essentially of calcium carbonate, protein, reducing sugar, citric acid, and cream of tartar.

The article was alleged to be misbranded in that the name "Coxy Check" was false and misleading since it represented, suggested, and implied that the article would be efficacious to check coccidiosis in poultry; whereas it would not be efficacious for such purpose. It was alleged to be misbranded further in that said name and the statement "As a Preventive In a disease as serious as this one, prevention is highly recommended rather than effecting a treatment after the birds have contracted the organism, and the disease. * * * As a treatment. * * * Successful treatment depends on early diagnosis and application. * * * How to Treat:—Mix thoroughly Three level tablespoonsful of Coxy Check in each One-Half Gallon of mash consumed for Seven Days. * * * This preparation is Antiseptic and astringent in nature" were false and misleading since they suggested, implied, and represented that when used as directed, it would be efficacious in the cure, mitigation, treatment, or prevention of coccidiosis in poultry, and that when used as directed it was an antiseptic and astringent; whereas it would not be efficacious for such purposes.

On July 13, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $25.

895. Misbranding of Glass Garget Ointment. U. S. v. Howard Glass (Glass Ointment Co.). Plea of guilty. Fine, $100 and costs. (F. D. C. No. 6453. Sample No. 38667-E.)

On September 22, 1942, the United States attorney for the Northern District of Iowa filed an information against Howard Glass, trading as the Glass Ointment Co., Arlington, Iowa, charging shipment on or about March 5, 1941, from the State of Iowa into the State of Minnesota of a quantity of Glass Garget Ointment which was misbranded.

Analysis of a sample of the article showed that it consisted essentially of fatty oils, small proportions of turpentine and creosote incorporated in an ointment base.

The article was alleged to be misbranded in that certain statements in the labeling which represented and suggested that it would be efficacious in the cure, mitigation, treatment, or prevention of garget, would relieve hard and congested tissues and local conditions which follow heavy feeding and freshening; that its use in case of udder troubles would restore the udder and teats to normal condition in a short time; that it would relieve caked or inflamed udders, would be efficacious in the cure, mitigation, treatment, or prevention of cow pox, minor cuts, black scab, harness galls, hardening of the quarters, wire cuts, sore hoofs, bunches, collar boils, and swollen throats in cases of distemper and other injuries; that it would remove inflammation from the udders of dairy cows, and would control all kinds of udder trouble in a dairy herd, would be efficacious in the treatment of chicken roup and, when used by man, would be efficacious in the cure, mitigation, treatment or prevention of burns, pimples, boils, and swellings, were false and misleading since the article would not be efficacious for such purposes. The article was alleged to be misbranded further in that it was fabricated from two or more ingredients including, among others, petroleum, kreyslinol (cresol solution), and vegetable oil, and its label failed to bear the common or usual name of each active ingredient.

On September 22, 1942, the defendant having entered a plea of guilty, the court imposed a fine of $100 and costs.

896. Misbranding of Disentone. U. S. v. George D. Solomon and Martin Weinhart (Farm Disentone Company). Plea of guilty. Fines, $25 each and costs. (F. D. C. No. 7675. Sample No. 73037-E.)

On October 20, 1942, the United States attorney for the Northern District of Iowa filed an information against George D. Solomon and Martin Weinhart, trading as Farm Disentone Company, Sioux City, Iowa, alleging shipment on or about December 17, 1941, from the State of Iowa into the State of Nebraska of a quantity of Farm Disentone.