

**104. Misbranding of K-K Kold Kill and K-K Konker. U. S. v. 10 Jugs of K-K Kold Kill and 10 Jugs of K-K Konker. Default decrees of condemnation and destruction. (F. D. C. Nos. 810, 811. Sample Nos. 41341-D, 41342-D.)**

The labeling of these products bore false and misleading representations regarding their efficacy in the conditions indicated hereinafter.

On August 2, 1939, the United States attorney for the District of Utah filed libels against 10 jugs of K-K Kold Kill and 10 jugs of K-K Konker at Ogden, Utah, alleging that the articles had been shipped in interstate commerce on or about June 2, 1939, by Overpach Hatchery [Overpack's Hatchery] from San Leandro, Calif.; and charging that they were misbranded.

Analyses showed that the Kold Kill consisted essentially of small proportions of compounds of copper and iron, sulfuric and citric acid, and water; and that the Konker consisted essentially of acetic acid, lactic acid, a small proportion of mineral matter, and water.

The Kold Kill was alleged to be misbranded in that the labeling contained representations that it was an effective preparation for colds, bronchitis, chickenpox, and roup; that 1 teaspoonful should be used to each gallon of drinking water, that this should be kept in front of the birds continually until colds were dried up, and that in severe cases  $1\frac{1}{2}$  teaspoonsful should be used to each gallon of drinking water, which representations were false and misleading since the article was not efficacious for the purposes recommended.

The Konker was alleged to be misbranded in that its labeling contained representations that it was efficacious as an adjunct in the treatment of coccidiosis infection in baby chicks and as a treatment to check or control intestinal infection in chicks, pullets, and mature birds; that it would assist in inducing a resistance to coccidiosis infection by producing conditions in the intestines that are beneficial to the health of the birds and detrimental to intestinal parasites; that it was effective as a general conditioner; would stimulate the appetite and bring about better food assimilation; that the baby chicks should be started with Konker when they were 8 or 4 days old in order to check and control coccidiosis infection; that if chicks showed symptoms of coccidiosis infection before treatment or during treatment they should be flushed mildly with Epsom salts for 1 day and then put on a double dose of Konker; that in case of recurrent attacks a double dose should be used each time the attack appears and that in severe cases it should be used for any length of time necessary or until the birds were normal, which statements were false and misleading in that the article was not efficacious for the purposes recommended.

On November 6, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**105. Misbranding of Moorman's Poultry Worm Sweep. U. S. v. 5 Bottles, et al. of Moorman's Poultry Worm Sweep. Default decree of condemnation and destruction. (F. D. C. No. 687. Sample No. 40888-D.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On October 7, 1939, the United States attorney for the District of Colorado filed a libel against 5 half-pint bottles, 1 pint bottle, 5 quart bottles, and 8 half-gallon bottles of Moorman's Poultry Worm Sweep at Denver, Colo., consigned by Moorman Manufacturing Co., from Quincy, Ill., alleging that the article had been shipped in interstate commerce on or about June 27, 1938; and charging that it was misbranded.

Analysis showed that it consisted essentially of a water solution of nicotine sulfate (4.7 percent) and copper sulfate (6.7 percent), with small amounts of arsenic and chlorides.

It was alleged to be misbranded in that its labeling contained representations that it was efficacious for roundworms and ceca worms; that in the case of roundworms the poultry would begin to pass worms in 4 hours after treatment, and would probably continue to do so for 3 days; that although at least 75 percent of all poultry have some ceca worms, the manufacturer did not recommend giving the treatment except in cases of unusually heavy infestation; that in treating for ceca worms the user should wait for 5 to 10 days after treatment for roundworms, and then give the treatment; that the treatment should not be given to turkeys weighing less than 2 to  $2\frac{1}{2}$  pounds; that the dose for turkeys for mouth treatment was as follows:  $2\frac{1}{2}$  to 4 pounds,  $\frac{1}{8}$  ounce; 4 to 8 pounds,  $\frac{1}{4}$  ounce; and 8 pounds,  $\frac{1}{2}$  ounce; and that for each