

DISPOSITION: June 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS FOR VETERINARY USE

1940. Misbranding of Blackturk. U. S. v. Alphonse LaRochelle (Stone Ridge Turkey Farm). Plea of guilty. Fine, \$500. Defendant placed on probation for 2 years. (F. D. C. No. 15586. Sample Nos. 59971-F, 81333-F.)

INFORMATION FILED: January 8, 1946, District of Minnesota, against Alphonse LaRochelle, trading as the Stone Ridge Turkey Farm, Crookston, Minn.

ALLEGED SHIPMENT: On or about May 1 and November 2, 1944, from the State of Minnesota into the States of Indiana and Kansas.

LABEL, IN PART: "Blackturk Black Head Cure For Turkeys."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements, "Black Turk Blackhead Cure for Turkeys * * * Treats 100 Small or Adult Turkeys * * * This will cure blackhead in turkeys," borne on the bottle label, and certain statements contained in an accompanying circular entitled "Blackturk Blackhead Cure For Turkeys," were false and misleading. They represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of blackhead in turkeys, hexamitiosis, trichomoniasis, typhoid, paratyphoid, and coccidiosis in poults and older turkeys. The article would not be efficacious for the purposes represented and suggested.

DISPOSITION: June 4, 1946. A plea of guilty having been entered, the defendant was fined \$500 on count 1. He was placed on probation for 2 years on count 2, on condition that he desist from the manufacture of the product.

1941. Misbranding of Blake's Stop-Bloat Chemicals. U. S. v. 10 Cartons of Blake's Stop-Bloat Chemicals. Tried to the court. Decree of condemnation and destruction. (F. D. C. No. 16629. Sample No. 26585-H.)

LABEL FILED: June 21, 1945, District of Wyoming.

ALLEGED SHIPMENT: On or about May 15, 1945, by the Hy-Life Mineral Co., from Denver, Colo.

PRODUCT: 10 cartons of *Blake's Stop-Bloat Chemicals* at Greybull, Wyo. Examination showed that the product consisted essentially of ammonium chloride, potassium chlorate, calcium carbonate, sodium sulfate, iron oxide, and a small amount of anise, sand, and plant material, including tobacco.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements and design on the carton label, and further similar statements on the carton and in a circular entitled "Blake's Stop-Bloat Chemicals" and a display card entitled "Keep 'Em Alive! with Blake's Stop-Bloat," which accompanied the article, were false and misleading: "Keep 'Em Alive [picture of two animals dead from bloating] Blake's Stop-Bloat Chemicals A chemical preparation designed to treat live-stock against bloating while in Green Alfalfa, Clover, Larkspur, and Sneezeweed ranges, as well as sheep and cattle on barley or other grain feeds, in feed lots. * * * How To Use Blake's Stop-Bloat 1. Mix entire contents of this package thoroughly with 100 lbs. of fine salt and remove all other salt. Place this mixture in convenient areas where stock may have easy access to it." The labeling referred to represented and suggested that the article, when used as directed, would be effective in the prevention of bloating of livestock. The article, when used as directed, would not be effective for such purposes.

DISPOSITION: On December 20, 1945, the Hy-Life Mineral Co. having appeared as claimant, the case came on for trial before the court, without a jury. After the witnesses present had testified, the case was continued by stipulation in order to obtain the evidence of two other witnesses, and it came on again on February 28, 1946. After hearing the two witnesses and arguments of counsel, the court took the case under advisement, and on March 11, 1946, handed down findings of fact and conclusions of law in favor of the Government. On March 11, 1946, judgment was entered condemning the product and ordering that it be destroyed.

1942. Misbranding of Blake's Stop-Bloat Chemicals. U. S. v. 18 Cartons of Blake's Stop-Bloat Chemicals. Default decree of condemnation and destruction. (F. D. C. No. 19170. Sample No. 27100-H.)

LABEL FILED: February 13, 1946, District of Nebraska.

ALLEGED SHIPMENT: On or about March 19, 1945, by the Hy-Life Mineral Co., from Denver, Colo.