

DRUGS FOR VETERINARY USE*

2293. Misbranding of Dr. Jespersen's Fowltone, Dr. Jespersen's Improved D. R. D., and Dr. Jespersen's Gets-em Poultry Flock Wormer. U. S. v. Dr. Aage P. Jespersen (Dr. Jespersen's Laboratories). Plea of nolo contendere. Fine, \$600 and costs. (F. D. C. No. 21442. Sample Nos. 51042-H, 51051-H, 51052-H.)

INFORMATION FILED: May 13, 1947, Northern District of Iowa, against Dr. Aage P. Jespersen, trading as Dr. Jespersen's Laboratories, Spencer, Iowa.

ALLEGED SHIPMENT: On or about January 12 and 22, 1946, from the State of Iowa into the State of Minnesota. A number of booklets entitled "Some Poultry Diseases Their Symptoms and a Guide for Their Control" were shipped on or about September 24, 1945, to the consignee of the "Fowltone," and a number of the booklets were shipped with the other products.

PRODUCT: Analyses disclosed that the *Dr. Jespersen's Fowltone* consisted of approximately 98 percent water; very small proportions of iron sulfate, potassium dichromate, and manganese sulfate; and a trace of potassium iodide, colored with an orange dye; that the *Dr. Jespersen's Improved D. R. D.* consisted of approximately 97 percent water; very small proportions of manganese sulfate, the phenolsulfonates of calcium, sodium, and zinc; and approximately 4.3 grains of mercuric chloride per fluid ounce, colored with a green dye; and that the *Dr. Jespersen's Gets-em Poultry Flock Wormer* consisted of approximately 90 percent water, 13.95 grains of nicotine sulfate per fluid ounce, 0.96 grain of arecoline hydrobromide per fluid ounce, and small proportions of iron chloride, copper sulfate, and manganese sulfate, colored with a green dye.

NATURE OF CHARGE: *Dr. Jespersen's Fowltone*, misbranding, Section 502 (a), certain statements on the label and in the accompanying booklets were false and misleading. These statements represented and suggested that the article was a tonic for chickens, turkeys, and other poultry of any age; that it would be effective in the prevention and treatment of fowl cholera, fowl typhoid, and blackhead of poultry; that it would be effective in the treatment of sick flocks; that it would stop chickens from dying; that it would be effective in the prevention and treatment of coccidiosis; that it would induce faster growth and better health in poultry; that it would free the intestines of mucus and soothe the inflamed membranes; that it would be effective as a blood builder; that it would give birds more pep and vigor; that it would be effective in the treatment of severe cases of disease conditions of poultry; that it would keep poultry thrifty and productive; and that it would be effective as a disease fighter. The article would not be effective for such purposes.

Dr. Jespersen's Improved D. R. D., misbranding, Section 502 (a), certain statements on the label and in the booklets were false and misleading. These statements represented and suggested that the article would be efficacious as an intestinal astringent and in the prevention and treatment of roup, pox, and white diarrhea in poultry, and coccidiosis, colds, and other diseases of the respiratory tract of poultry, such as bronchitis, pneumonia, diphtheria, and laryngotracheitis. The article would not be efficacious for such purposes.

Dr. Jespersen's Gets-em Poultry Flock Wormer, misbranding, Section 502 (a), certain statements on the label and in the booklets were false and misleading. These statements represented and suggested that the article would be efficacious as a flock wormer in the removal of all types of intestinal worms and tape worms; that it would be efficacious to free birds from worms and make birds more thrifty; that it would cause greater profits to result from the use of the product; that it would enable birds to grow and gain faster and to go on the market earlier; and that it would be efficacious in the treatment of range paralysis. The article would not be efficacious for such purposes.

DISPOSITION: October 21, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$200 on each of the 3 counts of the information, plus costs.

2294. Misbranding of Gambine Injection Ointment. U. S. v. 168 Tubes * * *
(F. D. C. No. 23894. Sample No. 29012-K.)

LIBEL FILED: November 7, 1947, District of Colorado.

*See also Nos. 2259, 2274, 2275.

ALLEGED SHIPMENT: On or about August 14, 1947, by Atlas Laboratories, Inc., from Akron, Ohio.

PRODUCT: 168 tubes of *Gambine Injection Ointment* at Denver, Colo.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Use in teat canal in treatment of local inflammation * * * Germicidal - Fungicidal" were false and misleading, since the article would not be effective in the treatment of local inflammatory conditions of the teat canal, and it was not germicidal or fungicidal.

DISPOSITION: December 10, 1947. Default decree of condemnation and destruction.

2295. Misbranding of Stoctone, M & M Chicken Spray, and Sulfatone Number Two. U. S. v. 17 Bottles, etc. (F. D. C. No. 23181. Sample Nos. 68434-H to 68436-H, incl.)

LIBEL FILED: June 24, 1947, District of Nebraska.

ALLEGED SHIPMENT: On or about May 1, 1947, by the M & M Livestock Products Co., from Clarion, Iowa.

PRODUCT: 10 250-tablet bottles and 7 1,000-tablet bottles of *Stoctone*, 7 1-quart bottles of *M & M Chicken Spray*, and 47 3-pound bottles of *Sulfatone Number Two*, at Pilger, Nebr., together with a number of circulars, which were shipped with the product, entitled "Announcing—New Sulfatone and Stoctone for Livestock and Poultry." Analyses showed that the *Stoctone* consisted essentially of sodium arsanilate, ammonium phenolsulfonate, and boric acid; that the *M & M Chicken Spray* was essentially a petroleum distillate, such as kerosene; and that the *Sulfatone Number Two* consisted essentially of sulfanilamide, sulfathiazole, copper sulfate, potassium iodide, sulfaguanidine, and sulfate of iron with bicarbonate of soda, charcoal, linseed oil meal, and sodium chloride.

NATURE OF CHARGE: *Stoctone*. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading. These statements represented and suggested that the article when used as directed would be effective in the treatment of blackhead and coccidiosis in turkeys and hemorrhagic septicemia (bloody scours) in hogs, whereas it would not be effective for such purposes.

M & M Chicken Spray. Misbranding, Section 502 (a), certain statements on the label were false and misleading. These statements represented and suggested that the article contained 100 percent active ingredients and that it would be effective in the treatment of colds, pneumonia, flu, and other respiratory ailments of poultry, whereas it did not contain 100 percent active ingredients and would not be effective for the purposes represented. Further misbranding, Section 502 (e) (1), the label failed to bear the common or usual name of the article; and, Section 502 (b) (2), it failed to bear an accurate statement of the quantity of the contents.

Sulfatone Number Two. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading. These statements represented and suggested that the article would be effective in the treatment of necrotic enteritis, colds, influenza, and scours in hogs, and white diarrhea in small pigs; that it would be effective at breeding time in settling sows; that it would be effective as a treatment for brucellosis during the gestation period and at farrowing time; and that it would be effective to keep hogs healthy. The article would not be effective for such purposes.

DISPOSITION: August 15, 1947. Default decree of condemnation and destruction.

DRUG ACTIONABLE BECAUSE OF OMISSION OF, OR UNSATISFACTORY, INGREDIENTS STATEMENTS*

2296. Misbranding of Ramol. U. S. v. Benjamin Ostroff. Plea of nolo contendere. Fine, \$75 and costs. (F. D. C. No. 23234. Sample Nos. 52766-H, 53921-H, 53922-H, 60869-H.)

INFORMATION FILED: October 7, 1947, Western District of Pennsylvania, against Benjamin Ostroff, Pittsburgh, Pa.

ALLEGED SHIPMENT: On or about September 20 and October 1, 18, and 30, 1946, from the State of Pennsylvania into the State of Ohio.

* See also Nos. 2251, 2252, 2255, 2265; veterinary preparations, Nos. 2259, 2295.