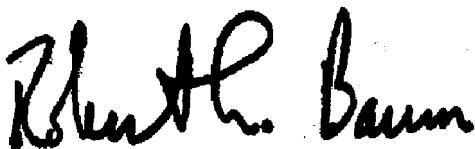


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENFORCEMENT
OFFICE OF GENERAL ENFORCEMENT
PESTICIDES ENFORCEMENT DIVISION**

**NOTICES OF JUDGMENT UNDER THE FEDERAL
INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT**

Nos. 1501-1550

Notices of Judgment report cases involving seizure actions taken against products alleged to be in violation, and criminal and civil actions taken against firms or individuals charged to be responsible for violations. The following Notices of Judgment are approved for publication as provided in Section 16(d) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136n).



Robert L. Baum
Acting Assistant Administrator
for Enforcement

Washington, D.C.

1501. In Re: Old Fox Chemical, Inc., EPA Region I, January 22, 1974. (I.F.&R. No. I-5C, I.D. Nos. 89060 and 89062.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136(j)(a)(1)(E); 136(q)(1)(A); 135(a)(a)(1); and 136(q)(1)(E). The action pertained to shipments made on March 19 and 21, 1973, from East Providence, Rhode Island, to North Attleboro, and Rehobeth, Massachusetts. The pesticides involved were **MNA TURF-O-GANIC WITH CHLORDANE** and **OLD FOX LAWN GRO & CRAB CONTROL 10-6-4**; charges included claims differed, adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling and lack of adequate precautionary statements.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$200.00.

1502. In Re: Samuel Cabot, Inc., EPA Region I, April 10, 1974. (I.F.&R. No. I-7C, I.D. No. 102927.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; and 136(j)(a)(1)(E). The action pertained to shipments made on April 26 and June 5, 1973, from Boston, Massachusetts, to Waterbury, Connecticut. The pesticide involved was **CABOT'S CONSERVO # 3300 CREOSOTE WOOD PRESERVATIVE**; charges included nonregistration and misbranding—label bore false or misleading registration number implying that product was registered.

After consideration of the facts involved, it was determined that the firm did not violate the Act. The Final Order dismissed the charges.

1503. In Re: Fuller Brush Company, EPA Region I, August 23, 1974. (I.F.&R. No. I-13C, I.D. Nos. 102841 and 102842.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); 136(q)(1)(A); 136(q)(2)(A); and 136(q)(1)(G). The action pertained to products held for distribution or sale on November 8, 1973, at Fuller Brush Company, East Hartford, Connecticut. The pesticides involved were **FULLER GERMICIDAL CLEANER COMMERCIAL USE** and **FULLER COMMERCIAL USE BOWL CLEANER**; charges included nonregistration and misbranding—lack of adequate precautionary and ingredient statements on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,000.00.

1504. In Re: White Cross Chemicals, EPA Region I, August 27, 1974. (I.F.&R. Nos. I-6C and I-16C, I.D. Nos. 102808, 102812, 102814, 102815, and 102813.

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); 136(c)(1); 136(q)(1)(G); 136(q)(1)(F); 136(q)(2)(A); 136(q)(2)(C)(v); and 136(q)(2)(C)(iii). The action pertained to shipments made on June 8, July 16, August 22 and September 4, 1973, from North Providence, Rhode Island, to Central Falls, Rhode Island; Bellingham, Massachusetts; South Attleboro, Massachusetts; and Eastford, Connecticut, and to a product held for distribution or sale on September 21, 1973, at White Cross Chemicals, North Providence, Rhode Island. The pesticides involved were **STERA-KLEEN, H&H BRAND SANI-GLAS SANITIZER, VENUS KILL BAC SANITIZER WITH DRYERS, IOKLEEN** and **KILLMOR DISINFECTANT**; charges included nonregistration, adulteration and misbranding—lack of adequate directions for use, lack of adequate precautionary statements, and strength or purity of product fell below the professed standard of quality as expressed in labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,100.00.

1505. In Re: Sterling-Clark-Lurton Corporation, EPA Region I, November 18, 1974. (I.F.&R. No. I-17C, I.D. Nos. 119038, 119039 and 119040.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); and 136(q)(1)(F). The action pertained to products held for distribution or sale on June 4, 1974, at Sterling-Clark-Lurton Corporation, Malden, Massachusetts. The pesticides involved were **PENTA DIP CLEAN NON-STAINING WOOD PRESERVATIVE, CREOSOTE WOOD PRESERVATIVE, and PENTA DIP REDWOOD STAIN AND PRESERVATIVE**; the charge was misbranding—lack of adequate warning or caution statement and lack of adequate directions for use.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,650.00.

1506. In Re: The Gillette Company, EPA Region I, November 22, 1974. (I.F.&R. No. I-18C, I.D. Nos. 117308 and 117309.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); 136q(1)(G); 136(q)(2)(A); and 135(o). The action pertained to shipments made on January 11, and May 28, 1974, from Boston, Massachusetts, to Shivewaustown, Pennsylvania. The pesticides involved were **RIGHT GUARD FOOT GUARD FOOT DEODORANT DRY SPRAY POWDER and RIGHT GUARD FOOT GUARD FOOT DEODORANT CLEAR SPRAY**; charges included nonregistration and misbranding—lack of adequate warning or caution statement and lack of adequate ingredient statement on labels.

Charges made in the Complaint were withdrawn because Food and Drug Administration has primary jurisdiction over these products pursuant to the Memorandum of Agreement between FDA and EPA.

1507. U.S. v. J. Hubbard Company, U.S. District Court, District of New Hampshire, Criminal No. 72-64, December 21, 1972. (I.F.&R. No. I-CR-6, I.D. Nos. 96261, 96262, 96104, 95963, 95964, and 95965.)

This was a criminal action prepared by EPA Region I charging the defendant in a 19 count information with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 135a(a)(5); 135(z)(2)(d); and 135(z)(1). The action pertained to shipments made on January 28, February 12 and 17, March 8 and 16, April 19 and 28, May 4 and 19, and June 28, 1971, and March 8, 1972, from Nashua, New Hampshire, to Boston, Massachusetts; Malden, Massachusetts; and Woonsocket, Rhode Island. The pesticides involved were **DR. HUBBARD'S VEGETABLE BRAND GERMICIDE** and **RED CROSS NURSE SURFACE GERMICIDE AND AIR DEODORIZER**; charges included nonregistration, claims differed and misbranding—lack of adequate warning or caution statements on labels.

The defendant entered a plea of guilty to all 19 counts.

A fine of \$8,000.00 was levied with \$7,500 being suspended.

1508. U.S. v. World Art Group, Inc., U.S. District Court, District of Connecticut, Criminal No. B-94, July 23, 1973. (I.F.&R. No. I-CR-8, I.D. Nos. 100256, 101398, and 95970.)

This was a criminal action prepared by EPA Region I charging the defendant in a 12 count information with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 135f(a); 135a(a)(5); 135(z)(2)(d); 135f(b); 135(z)(2)(e); and 135(o). The action pertained to shipments made on March 31, April 11, and April 26, 1972, from East Norwalk, Connecticut, to Greenwood, South Carolina, and Cambridge, Massachusetts. The pesticides involved were **BIOLOGICAL INSECT CONTROL BUG BAIT** and **NEW BIOLOGICAL INSECT CONTROL BUG BAIT**; charges included nonregistration and misbranding—labels bore false

statements, lack of adequate precautionary statements on labels and lack of adequate ingredient statement on labels.

The defendant entered a plea of guilty to two counts. The remaining counts were dismissed.

A fine of \$200.00 was levied.

1509. U.S. v. Fourteen 125-pound drums, more or less, of a product labeled in part "Robins Superchlor Cleanser Bactericide Disinfectant." U.S. District Court, District of New Hampshire, March 27, 1973. (I.D. No. 95983.)

This was a seizure action charging the product with being in violation of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 135a(a)(5); and 135(z)(1). The action pertained to a shipment made on June 8, 1972, by Baird & McGuire, Inc., from Holbrook, Massachusetts. Charges included nonregistration and misbranding—labels bore a false or misleading registration number implying that the product was registered.

The Default Decree of Condemnation ordered destruction of the product.

1510. In Re: Safari Kennel Products, EPA Region II, April 11, 1974. (I.F.&R. No. II-18C, I.D. No. 88576.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on November 10, 1972, from Westwood, New Jersey, to Lithonia, Georgia. The pesticide involved was **SAFARA SILICONE CLIPPER LUBE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$350.00.

1511. In Re: Camp Chemical Co., Inc., EPA Region II, August 7, 1974. (I.F.&R. No. II-43C, I.D. No. 105408.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(c)(1); and 136(q)(1)(A). The action pertained to a product held for distribution or sale on January 3, 1974, at Camp Chemical Co., Inc., Brooklyn, New York. The pesticide involved was **WOOD-GOOD WOOD PRESERVATIVE**; charges included misbranding and adulteration—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$800.00.

1512. In Re: Cincinnati Milacron, EPA Region II, September 21, 1974. (I.F.&R. No. II-41C, I.D. No. 94849.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1). The action pertained to a shipment made on April 4, 1973, from New Brunswick, New Jersey, to Augusta, Georgia. The pesticide involved was **ADVANCE COPPER 8/0 NAPHTHALENE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,700.00.

1513. In Re: Faesy & Besthoff, Inc., EPA Region II, September 24, 1974. (I.F.&R. No. II-23C, I.D. Nos. 87604 and 89038.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E). The action pertained to a shipment made on March 2, 1973, from Edgewater, New Jersey, to Attleboro Massachusetts, and to a product held for distribution or sale on September 26, 1973, at Faesy & Besthoff, Inc., Edgewater, New Jersey. The pesticide

involved was **F&B ASPON CHLORDANE GRANULAR BROAD SPECTUM LAWN INSECTICIDE**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,000.00.

1514. In Re: Faesy & Besthoff, Inc., EPA Region II, September 24, 1974. (I.F.&R. No. II-24C, I.D. No. 89041.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E). The action pertained to a shipment made on March 2, 1973, from Edgewater, New Jersey, to Attleboro, Massachusetts. The pesticide involved was **F&B LAWN & TURF FUNGICIDE**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$600.00.

1515. In Re: Rite-Off Corp., EPA Region II, October 17, 1974. (I.F.&R. No. II-40C, I.D. Nos. 118204 and 118206.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(A). The action pertained to products held for distribution or sale on March 6, 1974, at Rite-Off Corp., Plainview, New York. The pesticides involved were **RITE-OFF TRIPLE MIX INSECT REPELLANT** and **RITE-OFF AUTOMATIC INSECTICIDE FOGGER**; the charge was misbranding—labels bore a false and misleading statement concerning net weight of product.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,500.00.

1516. In Re: Misco Products Corp., EPA Region III, November 18, 1974. (I.F.&R. No. III-52C, I.D. No. 104532.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136(c)(1); 136j(a)(1)(E); 135a(a)(5); and 135(z)(1). The action pertained to a product held for distribution or sale on January 7, 1974, at Misco Products Corp., Reading, Pennsylvania. The pesticide involved was **QUAT GERMICIDAL CLEANER**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed in labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,000.00.

1517. In Re: Alcolac, Inc., EPA Region III, November 26, 1974. (I.F.&R. No. III-56C, I.D. No. 105197.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on January 31, 1974, from Baltimore, Maryland, to Philadelphia, Pennsylvania. The pesticide involved was **ETHYLENE OXIDE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,200.00.

1518. In Re: Bacon Products Company, EPA Region IV, May 23, 1974, (I.F.&R. No. IV-42C, I.D. No. 95561.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(A). The action pertained to a shipment made on January 16, 1973, from Chattanooga, Tennessee, to Ringgold Georgia. The pesticide involved was **EAGLES-7 PROLIN RAT**

BAIT KILLS RATS MICE; the charge was misbranding—ineffective for the control of mice when used as directed.

The complaint was withdrawn because EPA was unable to establish that the respondent had been notified of the required efficacy tests, with which it must comply, prior to the alleged violative shipment.

1519. In Re: World Chemical Company, EPA Region IV, May 23, 1974, (I.F.&R. No. IV-2C, I.D. Nos. 94801 and 94802.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on February 1, 1973, from Memphis, Tennessee, to Canton, Mississippi. The pesticides involved were **MICROPEL** and **MICROMATE**; the charge was nonregistration.

Complaint was withdrawn because respondent was sole proprietorship and sole proprietor died in November 1973.

1520. In Re: Water Services, Inc., EPA Region IV, November 4, 1974, (I.F.&R. No. IV-89C, I.D. No. 95661.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(c)(1). The action pertained to a product held for distribution or sale on November 27, 1973, at Water Services, Inc., Knoxville, Tennessee. The pesticide involved was **ALGICIDE X-20**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$420.00.

**1521. In Re: Morton Pharmaceuticals, Inc., EPA Region IV,
November 11, 1974. (I.F.&R. No. IV-82C, I.D. No. 95139.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136(a)(1)(E) and 136(c)(1). The action pertained to a product held for distribution or sale on January 22, 1974, at Morton Pharmaceuticals, Inc., Memphis, Tennessee. The pesticide involved was **EUREKA WEED AND GRASS KILLER**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$800.00.

**1522. U.S. V. 13 cartons – 12 tubes each, more or less, of a
product labeled in part "STUMPFS' MAGIC HOODOO
PASTE." U. S. District Court, Western District of North
Carolina, October 10, 1972. (I.F.&R. No. IV-P-19, I.D. No.
101399.)**

This was a seizure action charging the product with being in violation of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on May 4, 1972, by John Stumpf's Son, from Gretna, Louisiana, to Charlotte, North Carolina. The product was not registered.

The Order of Condemnation, Forfeiture and Destruction ordered destruction of the product.

**1523. U.S. v. 14 cases – 6/5 pound pails each, more or less, of a
product labeled in part "ROBARK SURGISOLVENT." U.S.
District Court, Eastern District of North Carolina, October
30, 1972. (I.F.&R. No. IV-P-18, I.D. No. 100260.)**

This was a seizure action charging the product with being in violation of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C.

135a(a)(1); 135b; 135a(a)(5); and 135(z)(2)(d). The action pertained to a shipment made on February 8, 1972, by Polychem Corporation, from New Haven, Connecticut, to Raleigh, North Carolina, charges included nonregistration and misbranding—lack of adequate warning or caution statement on labels.

The Notice of Dismissal authorized release of product for relabeling to bring into compliance with the Act.

1524. U.S. v. 13 cases – 12/1 pint bottles and 2 cases – 4/1 gallon jugs, more or less, of a product labeled in part “X-14 INSTANT MILDEW REMOVER.” U.S. District Court, Western District of North Carolina, February 9, 1973. (I.F.&R. No. IV-P-46, I.D. No. 88207.)

This was a seizure action charging the product with being in violation of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on August 29, 1972, by White Laboratories, from Orlando, Florida, to Charlotte, North Carolina. The product was not registered.

The Final Order authorized release of the product for relabeling to bring into compliance with the Act.

1525. In Re: Hilex Division, Hunt Chemicals, Inc., EPA Region V, February 21, 1974. (I.F.&R. No. V-033C, I.D. No. 94000.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1). The action pertained to a product held for distribution or sale on August 29, 1973, at Hilex Division, Hunt Chemicals, Inc., 33 E. Wentworth St., St. Paul, Minnesota. The pesticide involved was **MRS. BRITE BLEACH**; the charge was that labels bore claims and directions for use that differed in substance from the representations made in connection with the product's registration.

As a result of a settlement conference, it was determined that the respondent was not in violation as charged. The Final Order dismissed all charges made in the Complaint and Notice of Opportunity For Hearing.

1526. In Re: The Drackett Products Company, EPA Region V, February 22, 1974. (I.F.&R. No. V-018C, I.D. No. 93713.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); 136(c)(1); 136(q)(1)(A); and 135a(a)(1). The action pertained to a shipment made on April 3, 1973, from Cincinnati, Ohio, to St. Paul, Minnesota. The pesticide involved was **VANISH DISINFECTANT BOWL CLEANER**; charges included adulteration and misbranding—strength or purity fell below the standard of quality represented in labeling, lack of adequate warning or caution statement on labels, and claims made for the product differed in substance from the representations made in connection with its registration.

As a result of a settlement conference, it was determined that the respondent was not in violation as charged. The Final Order dismissed all charges made in the Complaint and Notice of Opportunity For Hearing.

1527. In Re: Agrico Chemical Company, EPA Region V, April 3, 1974. (I.F.&R. No. V-037C, I.D. No. 102300.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(c)(1); and 136(q)(1)(A). The action pertained to shipments made on February 20 and April 9, 1974, from Danville, Illinois, to Kansas City, Kansas. The pesticide involved was **PATTERSON'S SOD WEBWORM GRANULES WITH TURF FUNGICIDE**; charges included misbranding and adulteration—strength or purity fell below the standard of quality expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2000.00.

1528. In Re: Salsbury Laboratories, EPA Region VI, May 2, 1974. (I.F.&R. No. VI-15C, I.D. No. 90097.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); and 136(c)(1). The action pertained to a shipment made on April 19, 1973, from Little Rock, Arkansas, to East St. Louis, Illinois. The pesticide involved was **SALSBURY MALATHION DRY INSECTICIDE**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$800.00.

1529. In Re: Thompson-Hayward Chemical Co., EPA Region VI, Septmeber 23, 1974. (I.F.&R. No. VI-26C, I.D. No. 101918.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on August 6, 1973, from Houston, Texas, to Denver, Colorado. The pesticide involved was **BIOTROL XK WETTABLE POWDER BIOLOGICAL INSECT CONTROL**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,200.00.

1530. In Re: Scientific Research Corporation, EPA Region VI, October 16, 1974. (I.F.&R. No. VI-22C, I.D. No. 90726.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C.

136j(a)(1)(E); 136(q)(1)(A); and 136j(a)(2)(A). The action pertained to a shipment made on August 27, 1973, from Alva, Oklahoma, to Hobart, Oklahoma. The pesticide involved was **FEN-AL CONCENTRATE**; charges included alteration of the required labeling, adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,100.00.

1531. In Re: The Uddo Company, EPA Region VI, October 21, 1974. (I.F.&R. No. VI-19C, I.D. Nos. 104579, 104578 and 90902.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); 136(c)(1); and 136(q)(1)(A). The action pertained to a shipment made on January 24, 1973, from New Orleans, Louisiana, to El Dorado, Arkansas, and to products held for distribution or sale on September 5, 1974, at The Uddo Company, New Orleans, Louisiana. The pesticides involved were **SURE-PINE PINE OIL DISINFECTANT DEODORANT, SURE-MINT DISINFECTANT DEODORANT, and SURE-KLEAN BLEACH**; charges included nonregistration, adulteration and misbranding—strength or purity of product fell below the professed standard of quality as expressed in labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,400.00.

1532. In Re: Humco Laboratory, Inc., EPA Region VI, November 13, 1974. (I.F.&R. No. VI-31C, I.D. No. 104682.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(A). The action pertained to a product held for distribution or sale on January 23, 1974, at Humco Laboratory,

Inc., Texarkana, Texas. The pesticide involved was **CHLOROFORM AND BENZENE MIXTURE**; the charge was misbranding—labels bore a false or misleading statement.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,600.00.

1533. In Re: Irwin-Willert Company, EPA Region VII, September 11, 1974. (I.F.&R. No. VII-44C, I.D. Nos. 91549 and 102185.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); and 136(c)(1). The action pertained to a shipment made on May 17, 1973, from St. Louis, Missouri, to Salina, Kansas. The pesticide involved was **DALE MILDEW CAKE**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$350.00.

1534. In Re: Empire Manufacturing Company, EPA Region VII, September 12, 1974. (I.F.&R. No. VII-49C, I.D. No. 105640.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); 136(q)(1)(F); 136(q)(2)(A); 136(n); 136(q)(2)(C)(v); and 136(q)(2)(C)(iii). The action pertained to a product held for distribution or sale on February 28, 1974, at Empire Manufacturing Company, Kansas City, Missouri. The pesticide involved was **THE ORIGINAL PATTY-O-CANDLE**; the charge was misbranding—lack of adequate warning or caution statement, lack of adequate ingredient statement, lack of net weight or measure of content statement and lack of assigned registration number on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$250.00.

1535. In Re: Jirdon Agri Chemicals, Inc., EPA Region VII, September 25, 1974. (I.F.&R. No. VII-37C, I.D. No. 101876.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); and 136(c)(1). The action pertained to a shipment made on March 8, 1973, from Morrill, Nebraska, to Casper, Wyoming. The pesticide involved was **JIRDON LAWN FERTILIZER CONTAINING DACTHAL HERBICIDE 10-10-4**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,700.00.

1536. In Re: Bonewitz Chemical, Inc., EPA Region VII, October 1, 1974. (I.F.&R. No. VII-58C, I.D. No. 112790.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); and 136(c)(1). The action pertained to a product held for distribution or sale on May 9, 1974, at Bonewitz Chemicals, Inc., Burlington, Iowa. The pesticide involved was **BONCHEM MIKRO-CIDE 242**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,800.00.

1537. In Re: King Castle, Inc., EPA Region VII, October 9, 1974. (I.F.&R. No. VII-35C, I.D. No. 102580.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); and 136(c)(1). The action pertained to a product held for distribution or sale on October 16, 1973, at King Castle, Inc., Marion, Iowa. The pesticide involved was **KING CASTLE PROFIT GUARD WORM AND FLY BLOCK MEDICATED**; charges included adulteration and misbranding—its strength or purity fell below the professed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$500.00.

1538. In Re: Anchor Laboratories, Inc., EPA Region VII, October 17, 1974. (I.F.&R. No. VII-53C, I.D. No. 115220.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); 136(q)(1)(A); and 135(a)(1). The action pertained to a shipment made on or about April 2, 1974, from North Kansas City, Missouri, to Burnsville, Minnesota. The pesticide involved was **METHOXYCHLOR AND MALATHION DAIRY CATTLE DUST**; charges included claims differed in substance from the representations made in connection with the product's registration and misbranding—lack of adequate warning or caution statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,400.00.

1539. In Re: Geisler Pet Products, Inc., EPA Region VII, October 17, 1974. (I.F.&R. No. VI-65C, I.D. Nos. 87575 and 117278.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); and 136(q)(1)(A). The action pertained to shipments made on or about September 11 and November 28, 1973, from Omaha, Nebraska, to Allison, Iowa, and

Cheswick, Pennsylvania. The pesticides involved were **GEISLER FOAM SHAMPOO** and **GEISLER END SECT SPRAY FLEA AND TICK KILLER FOR CATS**; charges included nonregistration and claims differed in substance from the representations made in connection with the products registration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$5,000.00.

1540. In Re: Lite Weight Products, Inc., EPA Region VII, October 22, 1974. (I.F.&R. No. VII-59C, I.D. No. 112672.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); and 135a(a)(1). The action pertained to shipments made on May 25 and August 7, 1973, from Kansas City, Kansas, to Kansas City, Missouri. The pesticide involved was **PERLITE PLUS SEVIN SOD WEBWORM 5% GRANULES 25 LB.**; charges included claims differed in substance from the representations made in connection with the product's registration and misbranding—lack of adequate warning or caution statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$600.00.

1541. In Re: PBI Gordon Corporation, EPA Region VII, November 1, 1974. (I.F.&R. No. VII-69C, I.D. Nos. 87545, 112787, and 112789.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); and 135a(a)(1). The action pertained to shipments made on December 19, 1973, and April 22, 1974, from Kansas City, Kansas, to Davenport, Iowa, and to a product held for distribution or sale on January 9, 1974, at PBI Gordon Corporation, Kansas City, Kansas. The pesticides involved were **VIGORO ROSE FLOWER AND SHRUB SPRAY**, **ACME SEVIN 50W**, and **ACME**

10% CHLORDANE DUST; charges included claims differed in substance from the representations made in connection with the product's registration and misbranding—lack of adequate warning or caution statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,024.00.

1542. In Re: Chemagro, Division of Baychem Corporation, EPA Région VII, November 11, 1974. (I.F.&R. No. VII-73C, I.D. No. 116282.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1). The action pertained to a shipment made on February 7, 1974, from Kansas City, Missouri, to Orlando, Florida. The pesticide involved was **CHEMAGRO MONITOR 4 LIQUID INSECTICIDE;** the charge was that the claims differed in substance from the representations made in connection with the product's registration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1512.00.

1543. In Re: The Leonard Company, EPA Region VII, November 14, 1974. (I.F.&R. No. VII-60C, I.D. No. 91561.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); 136(q)(2)(C)(iv); and 136(q)(1)(A). The action pertained to a product held for distribution or sale on September 7, 1973, at The Leonard Company, St. Louis, Missouri. The pesticide involved was **HY-SUPER INSECTICIDE;** the charge was misbranding—lack of adequate warning or caution statement on labels, lack of assigned registration number on labels and labels bore false or misleading statements as to the safety of the product.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$580.00.

1544. In Re: Senoret Chemical Company, EPA Region VII, November 15, 1974. (I.F.&R. No. VII-67C, I.D. No. 113829.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 136j(a)(1)(E); 136(q)(1)(A); and 136(q)(1)(G). The action pertained to a shipment made on or about July 16, 1973, from St. Louis, Missouri, to Emeryville, California. The pesticide involved was **TERRO CALIFORNIA ANT KILLER**; the charge was misbranding—lack of adequate warning or caution statements for the protection of health and environment.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$630.00.

1545. U.S. v. Lester R. Sandahl Company, U.S. District Court, Southern District of Iowa, Criminal No. 73-81, October 15, 1974. (I.F.&R. No. VII-4P, I.D. Nos. 74785 and 103313.)

This was a criminal action prepared by EPA Region VII charging the defendant in a four count indictment with violating the Federal Insecticide, Fungicide, and Rodenticide Act 7 U.S.C. 135a(a)(1); 135b(a); 135a(a)(5); 135(z)(2)(d); 7 CFR 362.9; and 40 CFR 162.9. The action pertained to shipments made on October 9, 1970, and January 28, 1972, from Madrid, Iowa, to Salt Lake City, Utah. The pesticide involved was **SANDAHL'S SILICONE CLIPPER LUBE**; charges included nonregistration and misbranding—lack of adequate warning or caution statement on labels.

The defendant entered a plea of guilty to counts 1 and 3. The remaining counts were dismissed.

A fine of \$400.00 was levied.

1546. In Re: Shaklee Corporation, EPA Region IX, September 5, 1974. (I.F.&R. No. IX-44C, I.D. Nos. 92750, 92751, 92755, 92756, and 92757.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); 136(q)(2)(C)(v); 136(q)(1)(E); 135a(a)(1); 136(q)(1)(A); and 135(q)(2)(A). The action pertained to products held for distribution or sale on August 30, 1973, at Shaklee Corporation, Hayward, California. The pesticides involved were **SGC** and **SAC**; charges included claims and directions for use differed in substance from the representations made in connection with the product's registration and misbranding—lack of adequate warning or caution statement on labels, lack of adequate directions for use on labels, lack of adequate ingredient statement on labels and labels bore a false or misleading statement.

The Default Order assessed the respondent a civil penalty of \$14,500.00.

1547. In Re: Western Purifier Company, EPA Region IX, October 1, 1974. (I.F.&R. No. IX-21C, I.D. No. 74856.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1) and 135b. The action pertained to a shipment made on February 21, 1973, from N. Hollywood, California, to Tempe, Arizona. The pesticide involved was **OGDEN WATER PURIFIER MODEL "A" SERIES REPLACEMENT CARTRIDGE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,500.00.

1548. In Re: Hodel & Company, EPA Region IX, October 7, 1974. (I.F.&R. No. IX-61C, I.D. No. 115213.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); and 136(q)(1)(A). The action pertained to a shipment made on January 15, 1974, from San Francisco, California, to Duluth, Minnesota. The pesticide involved was **WATERBED ALGAE CONTROL**; charges included nonregistration and misbranding—labels bore a false or misleading registration number implying that the product was registered.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$500.00.

**1549. In Re: Ball Industries, EPA Region IX, October 18, 1974.
(I.F.&R. No. IX-63C, I.D. No. 113736.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(G); and 135(q)(2)(A). The action pertained to a product held for distribution or sale on May 1, 1974, at Ball Industries, El Segundo, California. The pesticide involved was **BALL FORMULA 8-13**; the charge was misbranding—lack of adequate directions for use and lack of adequate ingredient statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,000.00.

1550. In Re: Michel & Pelton Company, EPA Region IX, October 31, 1974. (I.F.&R. No. IX-42C, I.D. Nos. 92735 and 92739.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(A); 136(q)(1)(E); and 135a(a)(1). The action pertained to a product held for distribution or sale on August 8, 1973, at Michel & Pelton Company, Emeryville, California. The pesticides involved were **MAPCO PINE OIL DISINFECTANT** and **MAPCO LICE AND FLEA SOAP**; charges included directions for use differed in

substance from the representations made in connection with its registration and misbranding—lack of adequate warning or caution statement and lack of adequate ingredient statement on labels.

The respondent signed a Consent Agreement. The Final Order did not assess a civil penalty due to the firm's lack of ability to pay.

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