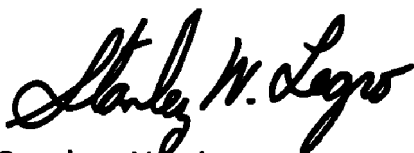


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENFORCEMENT
OFFICE OF GENERAL ENFORCEMENT
PESTICIDES AND TOXIC SUBSTANCES
ENFORCEMENT DIVISION**

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

Nos. 1801-1850

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).



Stanley W. Legro
Assistant Administrator for
Enforcement

Washington, D.C.

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1801. In Re: Boston Chemical Industries, Inc., EPA Region I, October 14, 1975. (I.F.&R. No. I-19C, I.D. No. 88991.)

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); and 136(q)(2)(C)(iii). The action pertained to a product held for distribution or sale on January 21, 1974, at Boston Chemical Industries, Inc., Boston, Massachusetts. The pesticide involved was **STETCO PYNOL DISINFECTANT**; charges included nonregistration and misbranding—lack of statement of net content, product ineffective when used as directed and labels bore a false and misleading registration number.

The respondent signed a Consent Agreement. The Final Order assessed a penalty of \$4,350.00. Of this, \$2,500.00 was ordered to be paid within 20 days. The balance was held in abeyance as follows: The respondent will implement a described quality control program. Within six months the respondent will report the status of the program and explain any deviations from the terms of the Final Order. The Regional Administrator, based on the report and any inspections, will make a finding as to whether the respondent is in substantial compliance with the Final Order. If so, payment of the balance of the penalty will be waived.

1802. U.S. v. Paulsboro Products, Inc., U.S. District Court, District of Connecticut, Criminal No. B-75-7, November 3, 1975. (I.F.&R. No. I-C-12, I.D. Nos. 67665, 85625, 69481, 69528 and 74965.)

This was a criminal action prepared by EPA Region I charging the defendant in a thirteen count information with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(5); 135(z)(1); 135a(a)(1) and 136j(a)(1)(E). The action pertained to shipments made on January 26, 1971; March 4, 1971; January 21, 1972; June 22, 1972; and January 24, 1973, from Bridgeport, Connecticut, to Providence, Rhode Island; Carlstadt, New Jersey; Baltimore, Maryland; Dedham, Massachusetts; and Providence, Rhode Island. The pesticides involved were **MODERN LIVING ROSE**

AND FLOWER SPRAY; AIRKEM ASEPTICARE DISINFECTANT ODOR COUNTERACTANT SPRAY; WEST AIR REFRESHER; and MODERN LIVING ANT AND ROACH KILLER; charges included nonregistration, adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling, product was ineffective when used as directed, lack of adequate directions for use, lack of ingredient statement, labels bore false or misleading registration number, and labels bore false or misleading safety claims.

The defendant entered a plea of nolo contendere to counts 1 and 2. The remaining counts were dismissed.

A fine of \$400.00 was levied.

1803. In Re: Ortex Products, Inc., EPA Region II, August 25, 1975. (I.F.&R. No. II-72C, I.D. Nos. 109451 and 118406.)

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)(2)(A). The action pertained to shipments made on August 23, and September 18, 1974, from Newark, New Jersey, to Philadelphia, Pennsylvania, and Hicksville, New York. The pesticides involved were **WINTERIZING TABLETS, WINTERIZING POWDER and POOL STAY. WINTERIZER;** charges included nonregistration and misbranding—lack of adequate ingredient statement.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$7,500.00.

1804. In Re: Brewer Chemical Co., EPA Region II, September 26, 1975. (I.F.&R No. II-96C, I.D. No. 117401.)

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)(G). The pesticide

involved was **ALTO SAN HCX PORTABLE SANITATION DEODORANT**; charges included nonregistration and misbranding—lacked adequate warning or caution statement on labels.

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

1805. In Re: Adelphi Industries, EPA Region II, November 24, 1975. (I.F.&R. No. II-91C, I.D. No. 107913.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135b; 136j(a)(1)(E) and 136(q)(1)(G). The action pertained to a shipment made on May 13, 1975, from Carlstadt, New Jersey, to Patchogue, New York. The pesticide involved was **MARINE FINISHES ANTI-FOULING RED BOTTOM COPPER**; charges included nonregistration and misbranding—lack of adequate warning or caution statement.

The respondent signed a Consent Agreement, admitting guilt. Zero penalty was assessed since the firm has been liquidated.

1806. In Re: Lethelin Products Co., Inc., EPA Region II, November 26, 1975. (I.F.&R No. II-79C, I.D. No. 119237.)

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)(3). The action pertained to a shipment made on March 22, 1974, from Mount Vernon, New York, to Cromwell, Connecticut. The pesticide involved was **LILLY'S ANT TRAP WITH KEPONE**; charges included adulteration and misbranding—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 \$400.00.

1807. U.S. v. Blue Spruce Company, Inc., U.S. District Court, Newark, New Jersey, Criminal No. 74-387, October 15, 1975. (I.F.&R No. II-5-P, I.D. No. 95989.)

This was a criminal action prepared by EPA Region II charging the defendant in a five count information with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 1 U.S.C. 135a(a)(1); 135a(a)(2)(c) and 135a(a)(5). The action pertained to a shipment made on September 8, 1971, from Basking Ridge, New Jersey, to Caribou, Maine. The pesticide involved was **CHEMOX GENERAL WEED KILLER**; charges included nonregistration and misbranding.

The defendant entered a plea of guilty to counts 1 and 4. The remaining counts were dismissed.

A fine of \$1,000.00 was levied.

1808. In Re: Pittsburgh Sanitary Chemical Co., EPA Region III, October 28, 1975. (I.F.&R. No. III-75C, I.D. No. 109737.)

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 October 23, 1974, at Pittsburgh Sanitary Chemical Co., Pittsburgh, Pennsylvania. The pesticide involved was **GERM-O-CIDE**; charges included adulteration and misbranding—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 \$700.00.

1809. In Re: Canton Chemical Company, EPA Region IV, August 11, 1975. (I.F.&R. No. IV-III-C, I.D. Nos. 116464 and 116348.)

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 shipments made on April 9, 1973, and April 18, 1974, from Canton, North Carolina, to Spartanburg, South Carolina, and Centre, Alabama. The pesticides involved were **SOUTHERN PINE INSECTICIDE CHLORDANE "72" CONCENTRATE** and **SOUTHERN PINE COPPER NAPHTHENATE WOOD PRESERVATIVE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$595.00.

1810. In Re: American Cyanamid Co., EPA Region IV, September 16, 1975. (I.F.&R. No. IV-137C, I.D. No. 110963.)

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)(A); 136(q)(2)(C)(iv); 136(c)(1) and 136(q)(1)(D). The action pertained to a product held for distribution or sale on March 21, 1975, at American Cyanamid Co., Charlotte, North Carolina. The pesticide involved was **AEROTEX PURIFYING AGENT NO. 1**; the charge was misbranding—lack of adequate warning or caution statement, ingredient statement, assigned registration number, name and address of manufacturer, and assigned establishment number on labels or containers.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,600.00.

1811. In Re: Control Products Associated, EPA Region IV, October 17, 1975. (I.F.&R. No. IV-132-C, I.D. No. 110854.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(2)(G). The action pertained to a product used on September 30, 1974, at Control Products Associated, Moultrie, Florida. The pesticide involved was **SHELL TECHNICAL DIELDRIN**; the charge was using a pesticide in a manner inconsistent with its labeling.

The Final Order Upon Default assessed a civil penalty of \$120.00.

1812. In Re: Chemical Processors, Inc., EPA Region IV, October 23, 1975. (I.F.&R. No. IV-146-C, I.D. No. 116425.)

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)(D). The action pertained to a product held for distribution or sale on January 20, 1975, at Chemical Processors, Inc., St. Petersburg, Florida. The pesticide involved was **DUAL MP 10 MILDEW AND MOTH GAS**; the charge was misbranding—lack of adequate warning or caution statement and lack of the assigned establishment registration number.

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

1813. In Re: Howerton Gowen Chemicals, Inc., EPA Region IV, October 23, 1975. (I.F.&R. No. IV-145-C, I.D. No. 117056.)

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 May 6th or 7th, 1975, from Roanoke Rapids, North Carolina, to Emporia, Virginia. The pesticide involved was **GOWEN'S LIQUID CHLORINE**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,800.00.

1814. In Re: Puritan Chemical Company, EPA Region IV, November 11, 1975. (I.F.&R. No. IV-149-C, I.D. No. 110161.)

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)(D). The action pertained to a product held for distribution or sale on January 9, 1975, at Puritan Chemical Co., Atlanta, Georgia. The pesticide involved was **PURIMIST SANITIZING FLOOR AND DUST MOP TREATMENT**; the charge was misbranding—lack of required precautionary statements and lack of assigned establishment registration number on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$840.00.

1815. In Re: Weil Chemical Co., EPA Region IV, November 19, 1975. (I.F.&R. No. IV-153-C, I.D. No. 110981.)

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 June 4, 1975, at Weil Chemical Company, Memphis, Tennessee. The pesticide involved was **WS FOGGING CONCENTRATE**; the charge was adulteration—product was chemically deficient.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$360.00.

1816. In Re: Champion International Corporation, EPA Region V, April 11, 1975. (I.F.&R. No. V-214C, I.D. Nos. 115415, 115416 and 115419.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(q)(1)(F) and 136(q)(1)(G). The action pertained to products held for distribution or sale on April 8, 1974, at Champion International Corporation, Kalamazoo, Michigan. The pesticides involved were **U.S. PLYWOOD MARINE WOODLIFE** and two products known as **WELDWOOD PENTA CHLOROPHENOL WOOD PRESERVATIVE**; the charge was misbranding—inadequate directions for use, and inadequate warning or caution statements.

The Final Order Upon Default assessed a civil penalty of \$7,560.00.

1817. In Re: Jay Rodgers Company, EPA Region V, July 22, 1975. (I.F.&R No. V-221C, I.D. No. 115409.)

This was a civil action in which the respondent was charged 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 March 6, 1974, at Jay Rodgers Co., Detroit, Michigan. The pesticide involved was **JAY RODGERS INSECTICIDE AND REPELLENT**; charges included adulteration and misbranding—strength or purity of the product fell below the professed standard of quality and the labels bore a false registration number.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$750.00.

1818. In Re: Koboy Ammonia Products, Inc., EPA Region V, July 22, 1975. (I.F.&R. No. V-238C, I.D. No. 115955.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(c)(1); 136(q)(1)(A) and 136(q)(1)(G). The action pertained to a product held for distribution or sale on August 20, 1974, at Koboy Ammonia Products, Inc., Skokie, Illinois. The pesticide involved was **KAPCO SANITIZOR**; charges included adulteration and misbranding—strength or purity of product fell below the professed standard of quality, inadequate warning or caution statements and labels bore false or misleading safety claims.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$270.00.

1819. In Re: Koes, Inc., EPA Region V, July 22, 1975. (I.F.&R No. V-217C, I.D. No. 106307.)

This was a civil action in which the respondent was charged 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 6, 1973, from Kenosha, Wisconsin, to Lincolnwood, Illinois. The pesticide involved was **AGRO-CHEM GROW AND CONTROL 18-4-8 WITH CRABGRASS PREVENTER**; charges included adulteration and misbranding—strength or purity of product 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 \$2,408.00.

1820. In Re: Conway Soap Products Company, EPA Region V, August 4, 1975. (I.F.&R. No. V-232C, I.D. No. 114977.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(F). The action pertained to a product held for distribution or sale on May 22, 1974, at Conway Soap Products Co., Chicago, Illinois. The pesticide involved was **CONWAY PINE DISINFECTANT**; the charge was misbranding— inadequate directions for use.

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

1821. In Re: Berman Chemical Co., EPA Region V, August 8, 1975. (I.F.&R. No. V-245C, I.D. No. 111127.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E) and 136(q)(2)(A). The action pertained to a shipment made on September 3, 1974, from Toledo, Ohio, to Phoenix, Arizona. The pesticide involved was **BULL FROG SAF-T-KLENZ**; charges included nonregistration and misbranding— label of product did not bear an ingredient statement.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$480.00.

1822. In Re: Babson Brothers Company, EPA Region V, August 12, 1975. (I.F.&R. No. V-247C, I.D. No. 115836.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(G). The action pertained to a product held for distribution or sale on September 11, 1974, at Babson Brothers Company, Oak Brook, Illinois. The pesticide involved

was **SURGE K.O. DYNE IODINE DETERGENT**; the charge was misbranding—inadequate warning or caution statements.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,156.00.

1823. In Re: Cincinnati Milacron Chemicals, Inc., EPA Region V, August 20, 1975. (I.F.&R. No. V-206C, I.D. No. 87361.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(G). The action pertained to a product held for distribution or sale on July 17, 1973, at Cincinnati Milacron Chemicals, Inc., Reading Ohio. The pesticide involved was **CAR-BAN T-O BIOSTAT**; the charge was misbranding—inadequate warning or caution statements.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,512.00.

1824. In Re: N.B. Purdy, Inc., EPA Region V, August 20, 1975. (I.F.&R. No. V-242C, I.D. No. 115925.)

This was a civil action in which the respondent was charged 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 November 12, 1974, at N.B. Purdy, Inc., Wauconda, Illinois. The pesticide involved was **STERA-SHEEN SANITIZER AND CLEANER NO. 2**; charges included adulteration and misbranding—strength or purity of product 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 \$765.00.

1825. In Re: Arnott Exterminators, Inc., EPA Region V, September 5, 1975. (I.F.&R. No. V-225C, I.D. No. 86990.)

This was a civil action in which the respondent was charged 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 March 8, 1973, from Indianapolis, Indiana, to Florence, Kentucky. The pesticide involved was **ARNCO POISON P-NUTS**; the charge was adulteration—product contained an additional active ingredient not claimed on the label.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$462.00.

1826. In Re: Dorex, Inc., EPA Region V, September 5, 1975. (I.F.&R. No. V-228C, I.D. No. 115056.)

This was a civil action in which the respondent was charged 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 June 20, 1974, from Frankfort, Illinois, to Madison, Wisconsin. The pesticide involved was **NO. 203 BEER CLEANER SANITIZER**; 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 \$1,560.00.

1827. In Re: Good-Way Insecticide, Inc., EPA Region V, September 7, 1975. (I.F.&R. No. V-222C, I.D. No. 92249.)

This was a civil action in which the respondent was charged 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 February 5, 1974, at Good-Way Insecticide, Inc., Arlington Heights, Illinois. The pesticide

involved was **GOOD-WAY INSECT KILLER**; charges included adulteration and misbranding—strength or purity of the product 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 \$270.00.

1828. In Re: Bell Laboratories, Inc., EPA Region V, September 15, 1975. (I.F.&R. No. V-246C, I.D. Nos. 116017, 116018 and 116019.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E). The action pertained to products held for distribution or sale on November 20, 1975, at Bell Laboratories, Inc., Madison, Wisconsin. The pesticides involved were **RODENT CAKE CHOCOLATE FLAVOR, RODENT CAKE FISH FLAVOR and RODENT CAKE PEANUT FLAVOR**; the charge was misbranding—products were not effective when used as directed.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$300.00.

1829. In Re: Haviland Agricultural Chemicals Co., EPA Region V, September 15, 1975. (I.F.&R. No. V-230C, I.D. Nos. 115366, 115367, 115368, and 115370.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136(c)(1); 136(q)(1)(G); 136(q)(2)(C); and 136(q)(1)(F). The action pertained to products held for distribution or sale on August 14, 1974, at Haviland Agricultural Chemicals Co., Grand Rapids, Michigan. The pesticides involved were **MALATHION DUST NO. 5, CHLORDANE EMULSIFIABLE CONCENTRATE 8-E, ROTENONE DUST NO. 100 and CHLORDANE DUST NO. 5**; charges included adulteration and misbranding—strength or purity fell below the professed standard of

quality as expressed on its labeling, lack of adequate warning or caution statement, lack of assigned registration number and lack of adequate directions for use.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,320.00.

1830. In Re: Mid State Chemical and Supply Corp., EPA Region V, September 17, 1975. (I.F.&R No. V-212C, I.D. No. 116545.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136a(a)(1); 136j(a)(1)(E) and 136(q)(1)(G). The action pertained to shipments made on May 9 and 23, 1974, from Indianapolis, Indiana, to Louisville, Kentucky. The pesticide involved was **HY-CLOR SODIUM HYPOCHLORITE**; charges included nonregistration and misbranding—inadequate warning or caution statements on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$726.00.

1831. In Re: Vita Plus Corporation, EPA Region V, September 18, 1975. (I.F.&R. No. V-205C, I.D. No. 115149.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E) and 136(q)(1)(F). The action pertained to a product held for distribution or sale on April 3, 1974, at Vita Plus Corporation, Madison, Wisconsin. The pesticide involved was **VITA PLUS MANGE WET TREATMENT**; the charge was misbranding—inadequate directions for use.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$792.00.

1832. In Re: Northern Instruments, Inc., EPA Region V, September 23, 1975. (I.F.&R. No. V-216C, I.D. No. 117290.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 136j(a)(1)(E); 136(q)(1)(G); 136(q)(2)(A); 136(q)(2)(C) and 136(q)(1)(A). The action pertained to a shipment made on February 27, 1973, from St. Paul, Minnesota, to Harrisburg, Pennsylvania. The pesticide involved was **STOR-SAFE SPORTS GEAR PROTECTION**; charges included nonregistration and misbranding—lack of adequate warning or caution statements, ingredient statement and net content statement and label bore false or misleading safety claims.

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

1833. In Re: Enterprise Paint Manufacturing Co., EPA Region V, September 26, 1975. (I.F.&R. No. V-087C, I.D. Nos. 112603 and 112604.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E) and 136(q)(3)(G). The action pertained to a shipment made on March 10, 1974, from Chicago, Illinois, to Norfolk, Nebraska. The pesticides involved were **PENN CRAFT GUARANTEED 8 YEARS ONE COAT** and **PENN CRAFT GUARANTEED 5 YEARS ONE COAT**; charges included nonregistration and misbranding—lack of adequate warning or caution statement.

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

1834. In Re: Univar Corporation, EPA Region V, October 6, 1975. (I.F.&R. No. V-213C, I.D. No. 115228.)

This was a civil action in which the respondent was charged 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 13, 1974, at Lyon Chemicals, Inc., Branch of Van Waters and Rogers Division of Univar Corporation, St. Paul, Minnesota. The pesticide involved was **LYON SWIMMING POOL ALGAECIDE**; charges included misbranding and adulteration—strength or purity of the product fell below the professed standard of quality and labels bore a false registration number.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1800.00.

1835. In Re: Applied Biochemists, Inc., EPA Region V, October 7, 1975. (I.F.&R No. V-208C, I.D. No. 115054.)

This was a civil action in which the respondent was charged 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 February 27, 1974, at Applied Biochemists, Inc., Mequon, Wisconsin. The pesticide involved was **SWIMTRINE ALGAECIDE**; the charge was misbranding—labels bore false or misleading safety claims.

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

1836. In Re: Kyanize Paints, Inc., EPA Region V, October 22, 1975. (I.F.&R. No. V-240C, I.D. No. 116234.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1). The action pertained to a shipment made on

August 29, 1974, from Springfield, Illinois, to Morris, Minnesota. The pesticide involved was **KYANIZE LATEX REDWOOD FINISH**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,920.00.

1837. In Re: Burgress Vibrocrafters, Inc., EPA Region V, October 28, 1975. (I.F.&R. No. V-234C, I.D. Nos. 115167, 115175 and 115188.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(E); 136j(a)(2)(I); 136(q)(1)(G); 136(q)(1)(A) and 136(c)(1). The action pertained to products held for distribution or sale on June 21, 1974, at Burgress Vibrocrafters, Inc., Libertyville, Illinois. The pesticides involved were **7-11 ANT POISON, CENOL BEE WASP YELLOW JACKET HORNET KILLER and CENOL POISONED WHEAT**; charges included violation of a Stop Sale, Use or Removal Order, adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling, product ineffective for purposes claimed and lack of adequate warning or caution statements on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,552.00.

1838. In Re: Action Athletic Equipment, Inc., EPA Region V, October 31, 1975. (I.F.&R. No. II-244C, I.D. No. 116061.)

This was a civil action in which the respondent was charged with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 135a(a)(1); 135b; 136j(a)(1)(E); 136(q)(1)(G); and 136(q)(2)(C). The action pertained to a shipment made on December 18, 1974, from Rockford, Illinois, to Cudahy, Wisconsin. The pesticide involved was **MAT-SAN DISINFECTANT CLEANER**; charges included nonregistration and misbranding—inadequate warning or

caution statements, lack of net content statement or measure of content and lack of an ingredient statement.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$925.00.

1839. In Re: Thompson-Hayward Chemical Co., EPA Region VII, September 30, 1975. (I.F.&R. No. VII-127C, I.D. Nos. 112427, 112438, 112439, 112445, and 114618.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136(q)(2)(D); 136(q)(1)(F); 135a(a)(1); 136j(a)(1)(E) and 136(q)(1)(G). The action pertained to a shipment made on or about April 18, 1974, from Kansas City, Kansas, to Holden, Missouri, and to products held for distribution or sale on September 3 and 4, 1974, at Thompson Hayward Chemical Company, Kansas City, Kansas. The pesticides involved were **DED-WEED LV-69, MERGE 823, DED-WEED FOR LAWNS, SUPER FUMIGAS, and DED-WEED LV-9 BRUSH KIL**; the charge was misbranding—lack of adequate warning or caution statements and lack of adequate directions for use on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$12,108.00.

1840. In Re: Western Chemical Co., EPA Region VII, September 30, 1975. (I.F.&R. No. VII-141-C, I.D. No. 114571.)

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)(G). The action pertained to a product held for distribution or sale on January 29, 1975, at Western Chemical Co., St. Joseph, Missouri. The pesticide involved was **HERCULITE DISINFECTANT, DETERGENT, AND CLEANER**; the charge was misbranding—lack of warning or caution statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,848.00.

1841. In Re: Airosol Company, Inc., EPA Region VII, October 8, 1975. (I.F.&R. No. VII-142C, I.D. No. 125374.)

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)(G). The action pertained to a shipment made on or about May 22, 1975, from Neodesha, Kansas, to Madison, Wisconsin. The pesticide involved was **AIROSOL BRAND INSECT REPELLENT SPRAY**; the charge was misbranding—lack of adequate precautionary statements on labels.

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

1842. In Re: Basic Chemicals, Inc., EPA Region VII, October 14, 1975. (I.F.&R. No. VII-103C, I.D. No. 115249.)

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) and 136(q)(1)(F). The action pertained to a shipment made on May 3, 1974, from Des Moines, Iowa, to Moorhead, Minnesota. The pesticide involved was **SAN-O-DIS**; charges included claims differed in substance from the representations made in connection with its registration and misbranding—lack of adequate directions for use.

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

1843. In Re: Navy Brand Mfg. Co., EPA Region VII, October 14, 1975. (I.F.&R. No. VII-139C, I.D. No. 114587.)

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 6, 1975, from St. Louis, Missouri, to Leewood, Kansas. The pesticide involved was **ROOT-OUT**; the charge was nonregistration.

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

1844. In Re: Vulcan Materials Co., Chemicals Division, EPA Region VII, October 22, 1975. (I.F.&R. No. VII-148C, I.D. No. 114440.)

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)(F). The action pertained to a shipment made on March 20, 1975, from Wichita, Kansas, to St. Louis, Missouri. The pesticide involved was **LIQUID CHLORINE**; the charge was misbranding—labeling lacked directions for use adequate to protect health and the environment.

The civil complaint was withdrawn after it was determined that the required labeling was located in the dome of the tank car.

1845. In Re: Consolidated Chemical, Inc., EPA Region VII, October 28, 1975. (I.F.&R. No. VII-133C, I.D. Nos. 114443 and 119297.)

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); and 136(c)(1). The action pertained to shipments made on October 23, 1974, and May 30, 1975, from St. Louis, Missouri, to Ellsworth, Maine, and Godfrey,

Illinois. The pesticides involved were **RENOVET** and **GERMOPHENE**; charges included nonregistration, claims differed in substance from the representations made in connection with its registration, adulteration, and misbranding—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 \$2,700.00.

1846. U.S. v. 1312 eleven oz. cans, more or less, of a product labeled in part "Real Kill Moth Proofer." U.S. District Court, Western District of Missouri, May 14, 1975. (I.F.&R. No. 74 CV 493-W-4, I.D. No. 112659.)

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); 136k(b)(1)(B) and 136k(b)(3). The action pertained to a product held for distribution or sale on March 15, 1974, at Wild Woody's Bargain Barn, Independence, Missouri. The charge was misbranding—when used as directed by the labeling it would cause unreasonable adverse effects on the environment.

The Default Judgement Decree ordered destruction of the seized product.

1847. In Re: Thatcher Chemical Co., EPA Region VIII, April 18, 1975. (I.F.&R. No. VIII-6C, I.D. Nos. 101913, 101914 and 101915.)

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 August 21, 1973, at Thatcher Chemical Co., Salt Lake City, Utah. The pesticide involved was **T-CHLOR SODIUM HYPOCHLORITE**; the charge was misbranding—lack of adequate warning or caution statements on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,540.00.

1848. In Re: Fuller-O'Brien Corp., EPA Region IX, September 5, 1975. (I.F.&R. No. IX-50C, I.D. Nos. 74878 and 74879.)

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(C) and 136j(a)(1)(E). The action pertained to products held for distribution or sale on July 24, 1973, at Fuller-O'Brien Corp., South San Francisco, California. The pesticides involved were **309-04 OFF WHITE MILDEW RESISTANT ACRYLIC LAYTEX FINISH** and **314-00 WHITE MILDEW RESISTANT LAYTEX ENAMEL**; charges included claims and directions for use differed in substance from the representations made in connection with its registration, adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling and lack of adequate warning or caution statements.

The Final Order Upon Default assessed a civil penalty of \$3,650.00.

1849. In Re: Honey Bee Enterprises, EPA Region X, September 11, 1975. (I.F.&R. No. X-23C, I.D. No. 106693.)

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 product held for distribution or sale on October 17, 1974, at Honey Bee Enterprises, Battleground, Washington. The pesticide involved was **MOLEX**; charges included adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling.

The Final Order Issued Upon Default assessed a civil penalty of \$280.00.

1850. In Re: S. V. Chemical Division of Universal Industries, Inc., EPA Region X, October 25, 1975. (I.F.&R. No. X-25C, I.D. Nos. 113501, 113502 and 113503.)

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 products held for distribution or sale on November 21, 1974, at S. V. Chemical Division of Universal Industries, Inc., Tacoma, Washington. The pesticides involved were **HI-KLOR**, **SANI-QUAT**, and **STERISOL**; charges included adulteration and misbranding in that the product's strength or purity fell below the standard of quality as expressed on its label.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,530.00.

Index to Notices of Judgment 1801 – 1850

	N.J. No.
Action Athletic Equipment, Inc. (Civil)	1838
Adelphi Industries (Civil)	1805
Airosol Company, Inc. (Civil)	1841
American Cyanamid Company (Civil)	1810
Applied Biochemists, Inc. (Civil)	1835
Arnott Exterminators, Inc. (Civil)	1825
Babson Brothers Company (Civil)	1822
Basic Chemicals, Inc. (Civil)	1842
Bell Laboratories, Inc. (Civil)	1828
Berman Chemical Company (Civil)	1821
Blue Spruce Company, Inc. (Criminal)	1807
Boston Chemical Industries, Inc. (Civil)	1801
Brewer Chemical Co. (Civil)	1804
Burgress Vibrocrafters, Inc. (Civil)	1837
Canton Chemical Company (Civil)	1809
Champion International Corporation (Civil)	1816
Chemical Processors, Inc. (Civil)	1812
Cincinnati Milacron Chemicals, Inc. (Civil)	1823
Consolidated Chemical,	

Inc. (Civil)	1845
Control Products Associated (Civil)	1811
Conway Soap Products Company (Civil)	1820
Dorex, Inc. (Civil)	1826
Enterprise Paint Manufacturing Company (Civil)	1833
Fuller-O'Brien Corporation (civil)	1848
Good-Way Insecticide, Inc. (Civil)	1827
Haviland Agricultural Chemicals Company (Civil)	1829
Honey Bee Enterprises (Civil)	1849
Howerton Gowen Chemicals, Inc. (Civil)	1813
Jay Rodgers Company (Civil)	1817
Koboy Ammonia Products, Inc. (Civil)	1818
Koos, Inc. (Civil)	1819
Kyanize Paints, Inc. (Civil)	1836
Lethelin Products Co., Inc. (Civil)	1806
Mid-State Chemical and Supply Corp. (Civil)	1830
N.B. Purdy, Inc. (Civil)	1824
Navy Brand Mfg. Company (Civil)	1843
Northern Instruments, Inc. (Civil)	1832
Ortex Products, Inc. (Civil)	1803
Paulsboro Products, Inc. (Criminal)	1802
Pittsburgh Sanitary Chemical Co. (Civil)	1808
Puritan Chemical Company (Civil)	1814
Real Kill Moth Proofer (Seizure)	1846
S.V. Chemical Division of Universal Industries, Inc. (Civil)	1850
Thatcher Chemical Co. (Civil)	1847
Thompson-Hayward Chemical Company (Civil)	1839

Univar Corporation (Civil)	1834
Vita Plus Corporation (Civil)	1831
Vulcan Materials Company, Chemicals Division (Civil)	1844
Weil Chemical Company (Civil)	1815
Western Chemical Company (Civil)	1840