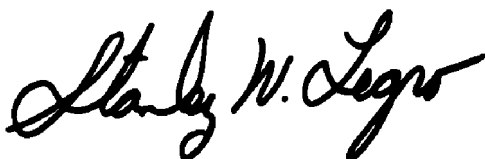


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENFORCEMENT  
OFFICE OF GENERAL ENFORCEMENT  
PESTICIDES AND TOXIC SUBSTANCES  
ENFORCEMENT DIVISION**

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

**Nos. 1851-1900**

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.**

**1851. In Re: Trio Chemical Works, Inc., EPA Region II, November 19, 1975. (I.F.&R. No. II-67C, I.D. Nos. 117823 and 118428.)**

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 June 6 and October 1, 1974, from Brooklyn, New York, to Irvington, New Jersey. The pesticide involved was **AMAZON CREOSOTE OIL**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,100.00.

**1852. In Re: Trio Chemical Works, Inc., EPA Region II, November 19, 1975. (I.F.&R. No. II-74C, I.D. No. 116035.)**

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(c)(1) and 136(c)(2). The action pertained to a shipment made on December 5, 1974, from Brooklyn, New York, to Chicago, Illinois. The pesticide involved was **INSECTICIDE, AEROSOL, SYNERGIZED PYRETHRIN**; charges included misbranding and adulteration—its strength or purity fell below the professed standard of quality as expressed on its labeling and the product contained an additional active ingredient not named on the label.

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

**1853. In Re: Hollowick, Inc., EPA Region II, November 24, 1975. (I.F.&R. No. II-89C, I.D. No. 110436.)**

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 action pertained

to a shipment made on July 30, 1974, from Manlius, New York, to Atlanta, Georgia. The pesticide involved was **HOLLOWICK LAMP FUEL**; 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 \$950.00.

**1854. In Re: Ernesto S. Barbosa, EPA Region II, December 8, 1975. (I.F.&R. No. II-71C, I.D. No. 118890.)**

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 136j(a)(1)(E). The action pertained to shipments made during the period January 1973 to December 1974, from Passaic, New Jersey, to New York, New York. The pesticide involved was **PARATHION**; charges included nonregistration and misbranding—lack of any warning or caution statement, ingredient statement, net content statement and name and address of the producer or distributor.

The respondent signed a Consent Agreement stipulating to no further distribution of unregistered pesticides. No civil penalty was assessed due to the financial condition of the respondent.

**1855. In Re: Eastern Laboratories, Inc., EPA Region II, December 16, 1975. (I.F.&R. No. II-48C, I.D. No. 94499.)**

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 136j(a)(1)(E). The action pertained to a shipment made on September 25, 1973, from Vineland, New Jersey, to Minneapolis, Minnesota. The pesticide involved was **EASTERN LIQUID SANITIZER CLEANER FOR WASHING SOILED EGGS**; 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 forbids the shipment of nonregistered pesticides, but did not assess a civil penalty due to the firm's inability to pay.

**1856. In Re: Rover Pet Products, EPA Region II, December 24, 1975. (I.F.&R. No. II-100C, I.D. No. 118093.)**

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 July 23, 1974, at Rover Pet Products, Belleville, New Jersey. The pesticide involved was **ROVER'S DOG SHAMPOO**; 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 \$750.00.

**1857. In Re: Dore-International, Inc., EPA Region II, January 2, 1976. (I.F.&R. No. II-88C, I.D. No. 107722.)**

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 action pertained to a shipment made on February 6, 1975, from Brooklyn, New York, to Totowaboro, New Jersey. The pesticide involved was **DORE-CHLOR**; charges included nonregistration 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 \$850.00.

**1858. In Re: Zoe Chemical Co., Inc., EPA Region II, January 2, 1976. (I.F.&R. No. II-86C, I.D. No. 118041.)**

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) and 136(q)(2)(C)(v). The action pertained to a product held for distribution or sale on April 30, 1974, at Zoe Chemical Co., Inc., New Hyde Park, New York. The pesticide involved was **JAYGOL ROSE** and **FLORAL SPRAY BOMB**; the charge was misbranding—lack of adequate warning or caution statement on labels, lack of assigned registration number on labels and lack of adequate ingredient statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$720.00.

**1859. In Re: Aquashade, EPA Region II, January 9, 1976. (I.F.&R. No. II-99C, I.D. No. 111039.)**

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 action pertained to a shipment made on March 5, 1975, from Dobbs Ferry, New York, to Tampa, Florida. The pesticide involved was **AQUASHADE AQUATIC GROWTH CONTROL**; charges included nonregistration 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 \$250.00.

**1860. In Re: Tenneco Chemicals, Inc., EPA Region II, January 9, 1976. (I.F.&R. No. II-106C, I.D. No. 118264.)**

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(c)(1) and 136(q)(1)(G). The action

pertained to a product held for distribution or sale on July 17, 1974, at Tenneco Chemicals, Inc., Elizabeth, New Jersey. The pesticide involved was **NUODEX 84**; charges included adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling and labels lacked adequate precautionary statements.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,960.00.

**1861. In Re: Utility Chemical Co., EPA Region II, January 15, 1976. (I.F.& R. No. II-107C, I.D. No. 110890.)**

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)(G) and 136(q)(2)(A). The action pertained to a shipment made on February 18, 1975, from Paterson, New Jersey, to Largo, Florida. The pesticide involved was **GERMICIDE**; charges included nonregistration and misbranding—lack of adequate precautionary statements and lack of ingredient statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,800.00.

**1862. In Re: Bixon Chemical Co., EPA Region II, January 16, 1976. (I.F.&R. No. II-84C, I.D. Nos. 118445 and 118446.)**

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 November 26, 1974, at Bixon Chemical Co., Corona, New York. The pesticides involved were **K-GERM DISINFECTANT** and **RESIDUAL INSECTICIDE W/PYRENONE DIAZINON LIQUID**; charges included adulteration and misbranding—strength or purity fell below the proposed standard of quality as expressed on its labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$4,045.00.

**1863. In Re: Bixon Chemical Co., EPA Region II, January 16, 1976. (I.F.&R. No. II-85C, I.D. No. 118476.)**

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); 136(q)(1)(A) and 136(q)(2)(C)(iii). The action pertained to a product held for distribution or sale on January 22, 1975, at Bixon Chemical Co., Corona, New York. The pesticide involved was **PINE ODOR DISINFECTANT**; charges included adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling, product would not act as a disinfectant when used as directed and lack of net content statement on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,350.00.

**1864. In Re: Arcal Chemicals, Inc., EPA Region III, February 13, 1976. (I.F.&R. No. III-88C, I.D. No. 117609.)**

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)(G) and 136(q)(2)(C)(iii). The action pertained to a product held for distribution or sale on April 15, 1975, at Arcal Chemicals, Inc., Seat Pleasant, Maryland. The pesticide involved was **DIXICHEM THEY-GO INSECTICIDE**; the charge was misbranding—lack of adequate caution statement, lack of statement of net weight and labels bore a false or misleading statement.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,000.00.

**1865. In Re: Bowman, Mell and Co., Inc., EPA Region III,  
February 13, 1976. (I.F.&R. No. III-87C, I.D. No. 109762.)**

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 January 28, 1975, at Bowman, Mell and Co., Inc., Harrisburg, Pennsylvania. The pesticide involved was **SODIUM HYPOCHLORITE SOLUTION**; 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 \$500.00.

**1866. In Re: Kare Chemical Company, EPA Region IV,  
December 5, 1975. (I.F.&R. No. IV-150-C, I.D. Nos. 110454,  
110455, 110456, 110192, 110193, and 110194.)**

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 shipments made on May 20, 1974, and January 3, February 18, January 27, and January 12, 1975, from Opa Locka, Florida, to Newman, Georgia, and Oxford, Alabama. The pesticides involved were **70% GRANULAR CHLORINE; EAGLE ALGICIDE; EAGLE 5% CHLORDANE INSECTICIDE; EAGLE STABILIZED POOL CHLORINE; EAGLE 10% CHLORDANE INSECTICIDE** and **SUPER CHINCH ETHION LAWN SPRAY**; charges included nonregistration and adulteration—chemical deficiency and chemical overformulation.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$15,000.00.



**1867. In Re: Pro-Serve, Inc., EPA Region IV, December 15, 1975.  
(I.F.&R. No. IV-139-C, I.D. No. 114836.)**

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 shipment made on September 18, 1974, from Memphis, Tennessee, to Lubbock, Texas. The pesticide involved was **STAKILL DIURON AND BROMACIL WEED KILLER**; the charge was adulteration—strength or purity fell below the professed standard of quality.

After discussion with the respondent and consideration of the facts set forth, the complaint was withdrawn.

**1868. In Re: Cealin Chemicals, EPA Region IV, January 19, 1976. (I.F.&R. No. IV-152C, I.D. No. 111022.)**

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); 136(q)(1)(C); 136(q)(2)(C)(iv); 136(q)(2)(C)(iii); 136(q)(2)(C)(i) and 136(q)(2)(A). The action pertained to a sale made on May 2, 1975, to the City of Winter Park, Florida. The pesticide involved was **DUOCHLORIN**; the charge was misbranding—labels failed to bear required caution statements, required directions for use, ingredient statement, assigned registration number, statement of net weight and name and address of manufacturer and the labels bore a false safety claim.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$980.00.

**1869. In Re: Southern Mill Creek Products, Inc., EPA Region IV, February 6, 1976. (I.F.&R. No. IV-147-C, I.D. Nos. 110668 and 110872.)**

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 May 29, 1975, from Miami, Florida, to Boca Chica, Florida, and to a product held for distribution or sale on February 21, 1975, at Southern Mill Creek Products, Inc., Tampa, Florida. The pesticide involved was **SMCP DURSBAN .5% GRANULAR INSECTICIDE**; the charge was misbranding—labels failed to bear adequate directions for use.

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

**1870. In Re: Paxton Processing Company, Inc., EPA Region V, November 5, 1975. (I.F.&R. No. V-014C, I.D. Nos. 94854 and 94855.)**

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)(2)(A) and 136(q)(1)(G). The action pertained to shipments made on May 11, 1973, from Paxton, Illinois, to Doraville, Georgia. The pesticides involved were **PEL-E-CEL** and **SAN-I-CEL**; charges included nonregistration and misbranding—lack of adequate precautionary statements and lack of ingredient statement on labels.

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

**1871. In Re: Beatrice Foods Co., EPA Region V, November 13, 1975. (I.F.&R. No. V-307C, I.D. No. 108853.)**

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)(G) and 136(q)(1)(F). The action pertained to a product held for distribution or sale on January 28, 1975, at John Sexton & Co., Division of Beatrice Foods Co., Blue Ash, Ohio. The pesticide involved was **SEXTON PINE OIL**

**DISINFECTANT**; the charge was misbranding—lack of adequate caution statements and lack of directions for use on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,680.00.

**1872. In Re: Federal Chemical Company, EPA Region VII, October 23, 1974. (I.F.&R. No. VII-57C, I.D. No. 102673.)**

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 October 1, 1973, at Federal Chemical Company, Omaha, Nebraska. The pesticide involved was **GENERAL GREEN CRABGRASS CONTROL**; the charge was misbranding—lack of adequate warning or caution statement.

The civil complaint was withdrawn after the respondent provided evidence that the product was adequately labeled to protect man and the environment.

**1873. In Re: The Huge Company, EPA Region VII, October 25, 1974. (I.F.&R. No. VII-54C, I.D. No. 91530.)**

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 August 15, 1973, at The Huge Company, St. Louis, Missouri. The pesticide involved was **EXCELCIDE SPECIAL FLY SPRA**; the charge was misbranding—label lacked adequate warning or caution statement and label lacked container disposal statement.

The civil complaint was withdrawn after the respondent provided evidence that the drum's labeling was in compliance at the time of labeling.

**1874. In Re: Mallinckrodt Chemical Works, EPA Region VII,  
December 6, 1974. (I.F. &R. No. VII-64C, I.D. No. 112707.)**

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 product held for distribution or sale on March 25, 1974, at Mallinckrodt Chemical Works, St. Louis, Missouri. The pesticide involved was **MALLINCKRODT FORMALDEHYDE SOLUTION U.S.P.**; the charge was misbranding—label lacked directions for use which were necessary for effecting the purpose for which the product was intended and if complied with, adequate to protect health and the environment.

The respondent furnished sufficient proof that the product was adequately labeled at the time of production. Therefore, the civil complaint was withdrawn.

**1875. In Re: Veterinary Laboratories, Inc., EPA Region VII,  
January 31, 1975. (I.F.&R. No. VII-66-C, I.D. No. 112508.)**

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 21, 1974, from Lenexa, Kansas, to Kansas City, Missouri. The pesticide involved was **VET LABS FOUR-WAY SCREW-WORM BOMB**; the charge was nonregistration.

Respondent put forth sufficient mitigating factors to satisfy complainant that, although it was reasonable to believe a violation had occurred, the most equitable result it could pursue would be to enter into a stipulation requesting respondent to recall the product.

**1876. In Re: Farnam Companies, Incorporated, EPA Region VII,  
June 10, 1975. (I.F.&R. No. VII-90C, I.D. No. 112169.)**

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 July 25, 1974, at Farnam Companies, Incorporated, Omaha, Nebraska. The pesticide involved was **FARNAM STABLE SPRAY EMULSIFIABLE FLY KILLER**; the charge was misbranding-labels did not bear a signal word which is necessary and if complied with, adequate to protect health and the environment.

The complaint was withdrawn since the Registration Division stated that the signal word "Caution" was adequate for this product.

**1877. In Re: Patel, Incorporated, Kansas City, Missouri, EPA  
Region VII, August 20, 1975. (I.F.&R. No. VII-121C, I.D. No.  
112338.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 j(a)(2)(L); 136e(c)(1)(A); 136e(c)(1)(B) and 136e(c)(1)(C).

The action pertained to the firms failure to submit a pesticides annual report in a timely manner.

The civil complaint was withdrawn since the firm was no longer in business.

**1878. In Re: Auto-Chlor System, Inc., EPA Region VII,  
September 4, 1975. (I.F.&R. No. VII-129C, I.D. No.  
114425.)**

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 March 18, 1975, at Auto-Chlor System of St. Louis, St. Louis, Missouri. The pesticide involved was **Auto-Chlor Solution-Cl**; the charge was misbranding-lack of precautionary statements on labels.

The complaint was withdrawn, since the respondent's answer explained that the alleged violations occurred at the place of business of a partnership doing business as Auto-Chlor System of St. Louis rather than at AutoChlor System, Inc.

**1879. In Re: Auto-Chlor System of St. Louis, EPA Region VII, November 7, 1975. (I.F.&R. No. VII-143C, I.D. No. 114425.)**

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 March 18, 1975, at Auto-Chlor System of St. Louis, St. Louis, Missouri. The pesticide involved was **AUTO-CHLOR SOLUTION-CL**; the charge was misbranding-lack of precautionary statements on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$216.00.

**1880. In Re: Panda-Victory Paints, EPA Region VII, November 14, 1975. (I.F.&R. No. VII-144C, I.D. No. 114444.)**

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 13, 1975, from St. Louis, Missouri, to East St. Louis, Illinois. The pesticide involved was **SHURWAY CREOSOTE OIL PAINT EXTERIOR WHITE**; the charge was nonregistration.

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

**1881. In Re: Harris Serum and Supply Company, Inc., EPA Region VII, November 19, 1975. (I.F.&R. No. VII-149C, I.D. No. 113064.)**

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 July 1, 1975, from McCook, Nebraska, to Dighton, Kansas. The pesticide involved was **TORDON BEADS**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$1,320.00.

**1882. In Re: Dymon, Inc., EPA Region VII, December 3, 1975. (I.F.&R. No. VII-140C, I.D. Nos. 112586 and 114310.)**

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 January 7, and April 24, 1974, from Shawnee Mission, Kansas, to Kansas City, Kansas, and St. Louis, Missouri. The pesticides involved were **LWK** and **COLE FLYING INSECT SPRAY**; charges included claims differed in substance from the representations made in connection with its registration and misbranding-lack of adequate warning or caution statements, lack of statement of net contents and lack of assigned registration number on labels.

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

**1883. In Re: Jones Chemicals, Inc., EPA Region VII, December 3, 1975. (I.F.&R. No. VII-132C, I.D. No. 114426.)**

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 March 30, 1975, at Jones Chemicals, Inc., Festus, Missouri. The pesticide involved was **ISO SUNNY SOL**; charges included adulteration and misbranding—strength or purity fell below the professed standard of quality as expressed on its labeling and labeling bore a statement as to the safety of the product which was false and misleading.

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

**1884. In Re: Freesmeier Laboratories, Inc., EPA Region VII, December 16, 1975. (I.F.&R. No. VII-155C, I.D. Nos. 114477 and 114478.)**

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 August 21, 1974, and April 9, 1975, from St. Louis, Missouri, to East St. Louis, Illinois. The pesticide involved was **CLIC PINE OIL DISINFECTANT**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$594.00.

**1885. In Re: Kemin Industries, Inc., EPA Region VII, December 24, 1975. (I.F.&R. No. VII-95C, I.D. Nos. 107092, 107093 and 112826.)**

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



January 29, August 12, and August 21, 1974, from Des Moines, Iowa, to Columbia, Tennessee. The pesticides involved were **HAY SAVOR** and **SILAGE SAVOR**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$3,000.00.

**1886. In Re: Kemin Industries, Inc., EPA Region VII, December 24, 1975. (I.F.&R. No. VII-116C, I.D. No. 112332.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(2)(L); 136e(c)(1)(A); 136e(c)(1)(B) and 136e(c)(1)(C). The action pertained to the firm's failure to submit a pesticides annual report in a timely manner.

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

**1887. In Re: Omaha Compound Company, EPA Region VII, January 6, 1976. (I.F.&R. No. VII-157C, I.D. Nos. 102411, 102412, 102413 and 102414.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136j(a)(1)(A) and 136a(a). The action pertained to products held for distribution or sale on October 16, 1975, at Omaha Compound Company, Omaha, Nebraska. The pesticides involved were **ANTISECT 68**, **DEFIANCE PINE OIL DISINFECTANT**, **HY GEE NITE GERMICIDE** and **INSTANT BOWL CLEANER**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$2,900.00.

**1888. In Re: W.R. Sweeney Manufacturer, Inc., EPA Region VII,  
January 6, 1976. (I.F.&R. No. VII-152C, I.D. No. 114436.)**

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 February 28, 1975, at W.R. Sweeney Manufacturer, Inc., Salibury, Missouri. The pesticide involved was **SWEENEY'S NEW IMPROVED POISON WHEAT**; the charge was misbranding—product was not effective in killing mice when used as directed in labeling.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$654.00.

**1889. In Re: Warren Douglas Chemical Co., EPA Region VII,  
January 6, 1976. (I.F.&R. No. VII-150C, I.D. No. 114389.)**

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 July 22, 1975, at Warren Douglas Chemical Co., Inc., Omaha, Nebraska. The pesticide involved was **WARLASCO EMULSION TOILET BOWL AND URINAL CLEANER**; 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 \$2,400.00.

**1890. In Re: James Varley & Sons, Inc., EPA Region VII,  
January 7, 1976. (I.F.&R. No. VII-153C, I.D. No. 118776.)**

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

July 21, 1975, from St. Louis, Missouri, to East Rochester, New York. The pesticide involved was **GABRIEL PERK SHAMPOO**; the charge was nonregistration.

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

**1891. In Re: Lift Products, Inc., EPA Region VII, January 9, 1976.  
(I.F.&R. No. VII-138C, I.D. Nos. 114291 and 114292.)**

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 March 26, 1975, from Cedar Rapids, Iowa, to Rock Island, Illinois. The pesticides involved were **BOWLITE** and **HEAVY-DUTY STERIKLEEN**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$324.00.

**1892. In Re: Plaze, Inc., EPA Region VII, January 9, 1976.  
(I.F.&R. No. VII-151C, I.D. No. 113012.)**

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 June 3, 1975, at Plaze, Inc., St. Louis, Missouri. The pesticide involved was **VARLEY # 400 INSECTICIDE**; the charge was misbranding —lack of warning or caution statement and lack of ingredient statement on labels.

The complaint was withdrawn after the respondent provided evidence that the misbranded product was not being held for sale at the time of sampling.

**1893. In Re: Wichita Brush & Chemical Co., Inc., EPA Region VII,  
January 12, 1976. (I.F.&R. No. VII-156C, I.D. No. 114631.)**

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 13, 1975, at Wichita Brush & Chemical Company, Inc., Wichita, Kansas. The pesticide involved was **GAMMA-MENE 1**; 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 \$1,560.00.

**1894. In Re: Precision Products Company, North Kansas City,  
Missouri, EPA Region VII, January 15, 1976. (I.F.&R. VII-  
117c, I.D. No. 112334.)**

This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136e(c)(1)(A); 136e(c)(1)(B) and 136j(a)(2)(L); 136e(c)(1)(C). The action pertained to the firm's failure to submit a pesticides annual report in a timely manner. The complaint was withdrawn since the respondent's business was destroyed by fire on August 6, 1974, and its pesticides business has never resumed.

**1895. In Re: Research Products Company, EPA Region VII,  
January 15, 1976. (I.F.&R. No. VII-82C, I.D. No. 102615.)**

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 June 6, 1973, from Salina, Kansas, to Lincoln, Nebraska. The pesticide involved was **DETIA GAS-EX-B**; the charge was that the claims made for the product differed in substance from the representations made in connection with its registration.

The complaint was withdrawn after the respondent provided evidence of governmental correspondence indicating that the correct label had been used.

**1896. In Re: Earl May Seed and Nursery Company, EPA Region VII, January 23, 1976. (I.F.&R. No. VII-162C, I.D. No. 114386.)**

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); 135a(a)(1); and 136(q)(1)(G). The action pertained to a shipment made on May 29, 1975, from Shenandoah, Iowa, to Lincoln, Nebraska. The pesticide involved was **EARL MAY 57% MALATHION SPRAY**; 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 on labels.

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

**1897. In Re: Levenson Chemical Company, EPA Region VII, January 27, 1976. (I.F.&R. No. VII-146C, I.D. Nos. 114337 and 114338.)**

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); 136(q)(1)(G) and 136 (q)(1)(E). The action pertained to a product held for distribution or sale on January 7, 1975, at Levenson Chemical Company, Omaha, Nebraska. The pesticides involved were **OKAY RAT KILL** and **OKAY MICE KILL CONTAINS PROLIN**; the charge was misbranding—product only partially effective when used as directed, lack of warning or caution statement, lack of adequate ingredient statement and lack of assigned registration number on labels.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$864.00.

**1898. In Re: Land and Sky, EPA Region VII, January 28, 1976.  
(I.F.&R. No. VII-161C, I.D. No. 102373.)**

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 or about September 18, 1975, from Lincoln, Nebraska, to Kansas City, Missouri. The pesticide involved was **CLEARWATER WATERBED ALGAE CONTROL**; the charge was nonregistration.

The respondent signed a Consent Agreement. The Final Order assessed a civil penalty of \$297.00.

**1899. U.S. v. 2700 units, more or less, of products labeled in part "BUGMASTER MODEL "G", BUGMASTER SHELF-N-DRAWER PAPER, BUGMASTER MOSQUITO COIL, and ME-HI." U.S. District Court, Western District of Missouri, December 19, 1974. (CIVIL No. 74 CV 548S, I.D. No. 74976.)**

This was a seizure action charging the products with being in violation of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136k(b)(1)(B) and 136k(c). The action pertained to products held for distribution or sale on September 12, 1974, at Southern National Manufacturing Co., Hollister, Missouri. The charge was nonregistration.

The Default Decree of Condemnation ordered destruction of the seized products. The material was destroyed by burying at the Springfield, Missouri, city dump.

**1900. In Re: Clark Lumber Company, EPA Region X, December 1, 1975. (I.F.&R. No. X-29C.)**

**This was a civil action charging the respondent with violating the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136f(b). The action pertained to a product held for distribution or sale on April 22, 1975, at Clark Lumber Company, Tualatin, Oregon. The pesticide involved was **BENITE, A WOOD PRESERVATIVE**; the charge was failure to furnish or permit access to records.**

**The action was terminated by Consent Agreement and Final Order which assessed a civil penalty of \$420 and contained an agreement by Respondent to allow access to records.**

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