On October 12, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of $400.

FEED

4212. Misbranding of alfalfa meal. U. S. v. Cooperative Alfalfa Mills, Inc. Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 7194. Sample No. 18674–E.)

This product contained less crude protein and more crude fiber than declared on the label.

On May 12, 1942, the United States attorney for the Northern District of Ohio filed an information against the Cooperative Alfalfa Mills, Inc., Toledo, Ohio, alleging shipment on or about August 2, 1941, from the State of Ohio into the State of Maryland of a quantity of alfalfa meal that was misbranded. The article was labeled in part: (Tags) "Dehydrated Alfalfa Meal 100 Pounds Net. Guaranteed Analysis Crude Protein, not less than 17.0 per cent * * * Crude Fibre, not more than 28.0 Per Cent."

The article was alleged to be misbranded in that the above-quoted statements borne on the tag were false and misleading, since the article contained not more than 14.65 percent of crude protein and not less than 31.40 percent of crude fibre.

On October 12, 1942, a plea of nolo contendere was entered on behalf of the defendant. The court imposed a fine on October 13 of $100 and costs.

4213. Misbranding of alfalfa meal and alfalfa leaf meal. U. S. v. Saunders Mills, Inc. Plea of guilty. Fine, $600 and costs. (F. D. C. No. 7190. Sample Nos. 18668–E, 18669–E.)

On May 12, 1942, the United States attorney for the Northern District of Ohio filed an information against the Saunders Mills, Inc., Toledo, Ohio, alleging shipment on or about August 4, 1941, from the State of Ohio into the State of Kansas of quantities of alfalfa meal and alfalfa leaf meal that were misbranded. The articles were labeled in part: (Tags) "Alfalfa Meal Guaranteed Analysis Crude Protein not less than 13.0 per cent * * * Crude Fibre, not more than 33.0 Per Cent," or "Alfalfa Leaf Meal Crude Protein not less than 20.0 Per Cent * * * Crude Fibre, not more than 18.0 Per Cent."

The articles were alleged to be misbranded since they contained less crude protein and more crude fibre than declared. The alfalfa meal contained protein in amounts varying from 12.38 to 12.48 percent and crude fibre in amounts varying from 36.40 to 36.76 percent; the alfalfa leaf meal contained crude protein in amounts varying from 16.67 to 16.89 percent and crude fibre in amounts varying from 29.05 percent to 29.27 percent.

On October 12, 1942, a plea of guilty having been entered on behalf of the defendant the court imposed a fine of $600 and costs.

4214. Misbranding of alfalfa leaf meal and alfalfa meal. U. S. v. 40 Bags and 62 Bags of Alfalfa Leaf Meal and 90 Bags of Alfalfa Meal. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8335. Sample Nos. 26481–F, 26482–F.)

On September 8, 1942, the United States attorney for the District of Maryland filed libels against 102 bags of alfalfa leaf meal and 90 bags of alfalfa meal at Baltimore, Md., alleging that the articles had been shipped in interstate commerce on or about July 8, 1942, by Raffety & O'Rourke from Wyatt, Mo.; and charging that they were misbranded. The articles were labeled in part: (Tag) "R & O'S 20% [or "17%"] Dehydrated Alfalfa Leaf Meal [or "Alfalfa Meal"]."

The articles were alleged to be misbranded in that the statements on the labels of the respective products, "Crude Protein, not less than 20.0%" and "Crude Protein, not less than 17.0% Crude Fibre, not more than 27.0%" were false and misleading since the former contained not more than 18.25 percent of crude protein and the latter contained not more than 14.51 percent of crude protein and not less than 32.45 percent of crude fibre.

On September 23, 1942, the cases having been consolidated and George F. Obrecht, Jr., and William F. Obrecht, trading as George F. Obrecht Co. and C. B. Watkins & Co., claimants for respective portions of the product, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

4215. Misbranding of alfalfa meal. U. S. v. 110 Bags of Alfalfa Meal. Consent decree of condemnation. Product released under bond for relabeling. (F. D. C. No. 8334. Sample No. 26484–F.)

On September 8, 1942, the United States attorney for the District of Maryland filed a libel against 110 100-pound bags of alfalfa meal at Baltimore, Md., alleg-