

**10129. Adulteration of frozen whole eggs. U. S. v. 913 Cans and 550 Cans of Frozen Whole Eggs. Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 17580, 17585. Sample Nos. 7865-H, 7866-H.)

**LIBELS FILED:** September 21 and 24, 1945, District of New Jersey and Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 8 and 22, 1945, by the Tyson Produce Co., from Sioux City, Iowa.

**PRODUCT:** Frozen whole eggs. 913 30-pound cans at Jersey City, N. J., and 550 30-pound cans at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** October 26 and November 13, 1945. M. Roth and Co., Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be segregated under the supervision of the Food and Drug Administration, and that this portion be denatured or destroyed.

**10130. Adulteration of frozen whole eggs. U. S. v. 500 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17323. Sample No. 11572-H.)

**LIBEL FILED:** August 28, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about July 12, 1945, by the Selby Poultry and Egg Co., from Burlington, Iowa.

**PRODUCT:** 500 cans, each containing 30 pounds, of frozen whole eggs at Boston, Mass.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** September 28, 1945. The Selby Poultry and Egg Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured under the supervision of the Food and Drug Administration.

### FEEDS AND GRAINS

**10131. Misbranding of cottonseed meal. U. S. v. Armour & Co. (The Pine Bluff Cotton Oil Mill). Plea of nolo contendere. Fine, \$50.** (F. D. C. No. 16590. Sample No. 33141-H.)

**INFORMATION FILED:** October 29, 1945, Eastern District of Arkansas, against Armour & Co., a corporation, trading as the Pine Bluff Cotton Oil Mill, Pine Bluff, Ark.

**ALLEGED SHIPMENT:** On or about November 2, 1944, from the State of Arkansas into the State of Kansas.

**LABEL, IN PART:** (Tags) "Navy Brand Prime Quality 41.00% Protein Cottonseed Cake and Meal Manufactured For and Guaranteed by Louis Tobian & Company, Dallas, Texas."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the statements, "41.00% Protein Cottonseed Cake and Meal" and "Guaranteed Analysis: Crude Protein, Not less than 41.00%," borne on the tags, were false and misleading since the article contained less than 41 percent of crude protein.

**DISPOSITION:** November 19, 1945. A plea of nolo contendere was entered on behalf of the defendant, and the court imposed a fine of \$50.

**10132. Adulteration of dog food. U. S. v. 9 Cartons and 100 Cases of Dog Food. Default decrees of condemnation and destruction.** (F. D. C. Nos. 17117, 17118. Sample Nos. 7470-H, 7472-H.)

**LIBELS FILED:** August 14 and 17, 1945, Eastern and Southern Districts of New York.

**ALLEGED SHIPMENT:** On or about June 15 and July 5 and 7, 1945, by the Packer Products Co., from Philadelphia, Pa.

**PRODUCT:** 9 cartons and 100 cases of dog food at Yonkers and Jamaica, N. Y., respectively. Each carton and case contained 12 30½-ounce jars.

**LABEL, IN PART:** "Bark-O Dog Food."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** September 5 and 18, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**10133. Misbranding of stock feed. U. S. v. 105 Bags of Stock Feed. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17030. Sample No. 21883-H.)**

**LABEL FILED:** August 14, 1945, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about June 24, 1945, by Giessing Flour Mills, from Farmington, Mo.

**PRODUCT:** 105 100-pound bags of stock feed at Memphis, Tenn.

**LABEL, IN PART:** "Soft Wheat Grey Shorts and Screenings Crude Protein, not less than 16%."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement, "Crude Protein, not less than 16%," was false and misleading since the product contained less than the declared amount of protein.

**DISPOSITION:** October 15, 1945. Giessing Flour Mills, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**10134. Misbranding of Stock-Gro. U. S. v. 2 Barrels and 22 Cans of Stock-Gro, and 26 circulars. Default decree of forfeiture and destruction. (F. D. C. No. 17336. Sample No. 13468-H.)**

**LABEL FILED:** September 7, 1945, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 1, 1945, by Stock-Gro, Inc., from Wapakoneta, Ohio.

**PRODUCT:** 2 500-pound barrels and 22 50-pound cans of Stock-Gro at Batesville, Ind., together with 20 circulars entitled, "Stock-Gro promotes Health! Liveability! Reproduction! in Hogs," and 6 circulars entitled, "What's in a Barrel of Stock-Gro?" Examination showed that the product was an artificially colored condensed byproduct of milk.

**LABEL, IN PART:** "Stock-Gro \* \* \* Ingredients: Condensed Whey."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), certain statements on the label of the article and in the circulars were false and misleading since they represented and suggested that the article was a digestant and would be effective to insure growth, health, and productivity in poultry and hogs; that it would be effective to prevent and correct necrotic enteritis, dysentery, typhoid, and other diseases due to pathogenic organisms in hogs; that it would aid effectively in the prevention and control of diseases in livestock and poultry; and that it would be effective to prevent and correct worm infestation, coccidiosis, blackhead, and other unhealthy conditions in poultry. The article was not a digestant, and it would not be effective for the purposes represented.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1890.

**DISPOSITION:** October 15, 1945. No claimant having appeared, judgment of forfeiture was entered and the product and circulars were ordered destroyed.

### FISH

**10135. Adulteration of canned codfish flakes. U. S. v. 343 Cases of Canned Cod Fish Flakes. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17630. Sample No. 3132-H.)**

**LABEL FILED:** October 2, 1945, District of Columbia.

**ALLEGED SHIPMENT:** On or about August 6, 1945, by the Edsil Trading Corporation, from New York, N. Y.

**PRODUCT:** 343 cases, each containing 48 14-ounce cans, of codfish flakes at Washington, D. C.

**LABEL, IN PART:** "Maine Shore Cod Fish Flakes \* \* \* Packed by Green Island Packing Co. Rockland, Maine."