

**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."

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

**DISPOSITION:** December 26, 1945. The Green Island Packing 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 normal portion be segregated from the unfit, and that the unfit be destroyed under the supervision of the Food and Drug Administration.

**10136. Adulteration of canned smoked shad. U. S. v. 12 Cases of Canned Smoked Shad (and 3 other seizure actions against canned smoked shad). Default decrees of condemnation and destruction.** (F. D. C. Nos. 17212, 17453, 17455, 17456. Sample Nos. 29291-H, 29897-H, 29913-H, 29915-H.)

**LIBELS FILED:** August 27 and September 14, 1945, Northern District of California.

**ALLEGED SHIPMENT:** On or about July 23, 1945, by the Kay Sales Co., from Portland, Oreg.

**PRODUCT:** 46 cases at San Francisco, Calif., and 50 cases at Oakland, Calif., each case containing 96 3¾-ounce cans of smoked shad.

**LABEL, IN PART:** "Washington Brand Fancy Smoked Shad \* \* \* Packed by Yaquina Bay Fish Company Newport, Oregon."

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

**DISPOSITION:** October 24, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**10137. Adulteration of frozen hake fillets. U. S. v. 2,046 Boxes of Frozen Hake Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 17475. Sample Nos. 16109-H to 16111-H, incl.)

**LIBEL FILED:** October 3, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 24, 1945, by Booth Fisheries, from Boston, Mass.

**PRODUCT:** 1,942 10-pound boxes and 104 15-pound boxes of frozen hake fillets at Chicago, Ill.

**LABEL, IN PART:** (Portion) "Whaling City Fisheries New Bedford Mass. Fillets."

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

**DISPOSITION:** December 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10138. Adulteration of frozen rosefish fillets. U. S. v. 1,670 Boxes of Rosefish Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 17479. Sample No. 16112-H.)

**LIBEL FILED:** October 3, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 15, 1945, by the Burnham Morrill Sea food Corporation, from Bangor, Maine.

**PRODUCT:** 1,670 15-pound boxes of rosefish fillets at Chicago, Ill.

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

**DISPOSITION:** November 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10139. Adulteration of frozen rosefish fillets. U. S. v. 292 Cartons of Frozen Rosefish Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 17281. Sample No. 10347-H.)

**LIBEL FILED:** September 4, 1945, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 17, 1945, by the Live Fish Co., from Gloucester, Mass.

**PRODUCT:** 292 10-pound cartons of frozen rosefish fillets at Pittsburgh, Pa.

**LABEL, IN PART:** "Pride of Gloucester Frosted Rosefish Fillets Packed by Independent Fish Company, Gloucester, Mass."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of parasites.