

DISPOSITION: April 30, 1951. A plea of guilty having been entered, the court fined the defendant \$200 and costs.

17665. Misbranding of Concordia Brand milk solids and Shearer's Emulseast Concentrate. U. S. v. Tri Foods Co. Plea of nolo contendere. Fine of \$20, plus costs. (F. D. C. No. 30035. Sample Nos. 48902-K, 80969-K.)

INFORMATION FILED: May 24, 1951, Western District of Missouri, against the Tri Foods Co., a corporation, Concordia, Mo.

ALLEGED SHIPMENT: On or about February 17, 1950, from the State of Missouri into the State of New Jersey.

LABEL, IN PART: "Concordia Brand Milk Solids for Animal and Poultry Feeding \* \* \* Protein 9% \* \* \* Manufactured By Tri Foods Co. Concordia, Missouri" and "Shearer's Emulseast Concentrate."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the Concordia Brand milk solids contained a statement representing and suggesting that the product contained protein in the amount of 9 percent, which was false and misleading since the product contained less than 9 percent protein; and, Section 403 (i) (2), the Shearer's Emulseast Concentrate was fabricated from two or more ingredients, and its label failed to bear the common and usual name of each ingredient.

DISPOSITION: September 28, 1951. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$20, plus costs.

## FISH AND SHELLFISH

17666. Adulteration of canned tuna. U. S. v. 16 Cases \* \* \*. (F. D. C. No. 31053. Sample No. 19086-L.)

LIBEL FILED: April 13, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about September 15, 1950, by the Gloucester Safe Deposit & Trust Co., from Gloucester, Mass.

PRODUCT: 16 cases, each containing 48 6½-ounce cans, of tuna at Minneapolis, Minn.

LABEL, IN PART: "Blue Band Brand Light Meat Tuna."

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

DISPOSITION: June 11, 1951. A default decree was entered ordering the product destroyed or, in lieu of destruction, denatured and disposed of for use as animal feed.

17667. Adulteration of frozen fish (Corbina). U. S. v. 1,560 Pounds \* \* \*. (F. D. C. No. 30987. Sample No. 17968-L.)

LIBEL FILED: June 6, 1951. Southern District of California.

ALLEGED SHIPMENT: On or about May 24, 1951, by L. H. Rodrigues, from Douglas, Ariz.

PRODUCT: 1,560 pounds of frozen fish (Corbina) at Wilmington, Calif.

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

DISPOSITION: July 5, 1951. Default decree of condemnation. The court ordered that the product be sold for use as an ingredient of fertilizer, and that such disposition be supervised by the Food and Drug Administration.