

Feeding Oil, Mixed Minerals, Net 25 Pounds Made By Stock-Gro Inc. Chicago Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, protein and fat, had been in part omitted from the article; and, Section 402 (b) (2), a product containing less than 25 percent of protein and less than 2 percent of fat, and consisting of nonfat dried milk solids, yellow corn meal, ground oats, wheat middlings, and oil, had been substituted for the article.

Misbranding, Section 403 (a), the statements in the labeling of the article which represented and suggested that the article contained not less than 25 percent of protein and not less than 2 percent of fat, and that it contained alfalfa leaf meal, ground rolled oats, soybean meal, wheat germ, and mixed minerals, were false and misleading. The article contained less than 25 percent of protein and less than 2 percent of fat, and it did not contain alfalfa leaf meal, ground rolled oats, soybean meal, wheat germ, and mixed minerals. Further misbranding, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient in that the article contained the ingredients, corn meal, ground oats, and wheat middlings; and the label of the article failed to declare the presence of these ingredients in the article.

DISPOSITION: July 21, 1952. A plea of nolo contendere having been entered, the court imposed a fine of \$500.

18769. Adulteration and misbranding of pulverized oyster shell. U. S. v. 42 Bags * * * (and 2 other seizure actions) (F. D. C. Nos. 32849 to 32851, incl. Sample Nos. 33318-L to 33320-L, incl.)

LIBELS FILED: March 5, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 18 and 30, 1950, by the Mayo Shell Corp., from Houston, Tex.

PRODUCT: 330 50-pound bags of pulverized oyster shell at Seymour and Greenville, Wis. Analysis showed that the product contained from 91.4 percent to 93.0 percent calcium carbonate.

LABEL, IN PART: "Mayo's Cal-Bon-Ate Guaranteed 97% Calcium Carbonate."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, calcium carbonate, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "97% Calcium Carbonate" was false and misleading as applied to the article, which contained less than 97 percent calcium carbonate.

DISPOSITION: April 18, 1952. Default decree of condemnation and destruction.

18770. Adulteration and misbranding of alfalfa meal. U. S. v. 400 Bags * * * (F. D. C. No. 32084. Sample No. 378-L.)

LIBEL FILED: November 29, 1951, District of Kansas.

ALLEGED SHIPMENT: On or about August 2, 1951, by Southwestern Alfalfa Mill, Inc., from Lexington, Nebr.

PRODUCT: 400 bags of alfalfa meal at Lancaster, Kans.

LABEL, IN PART: "50 Lbs. Net. * * * H. E. Clark Company * * * 17% dehydrated alfalfa meal Guaranteed analysis crude protein, not less than 17.0% * * * crude fiber, not more than 27.0%."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), alfalfa meal containing less than 17 percent crude protein and more than 27 percent crude fiber had

been substituted in whole or in part for alfalfa meal containing not less than 17 percent crude protein and not more than 27 percent crude fiber, which the product was represented to be.

Misbranding, Section 403 (a), the label statement "Guaranteed analysis crude protein, not less than 17.0% * * * crude fiber, not more than 27.0%" was false and misleading.

DISPOSITION: March 17, 1952. Default decree of condemnation. The court ordered that the product be delivered to a State institution.

FISH AND SHELLFISH

18771. Adulteration of frozen pike fillets. U. S. v. 495 Pounds * * *. (F. D. C. No. 32690. Sample No. 19570-L.)

LIBEL FILED: February 21, 1952, District of North Dakota.

ALLEGED SHIPMENT: On or about December 18, 1951, by H. Peters, from Crookston, Minn.

PRODUCT: 495 pounds of frozen pike fillets at West Fargo, N. Dak.

LABEL, IN PART: "Pike Fillets M. F. M. Product of Canada."

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

DISPOSITION: May 22, 1952. Default decree of condemnation and destruction.

18772. Adulteration and misbranding of oysters. U. S. v. 600 Cans, etc. (F. D. C. No. 32182. Sample Nos. 2947-L, 2948-L.)

LIBEL FILED: November 23, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 17, 1951, by Guss Forbush & Son, from Crisfield, Md.

PRODUCT: 700 1-pint cans of oysters at Kane, Pa.

LABEL, IN PART: "Oysters Standards [or "Selects"] Black Pearl."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (g) (1), the product failed to meet the definition and standard of identity for oysters since it was not thoroughly drained and was in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: December 19, 1951. Default decree of condemnation and destruction.

18773. Adulteration and misbranding of oysters. U. S. v. 464 Cans * * *. (F. D. C. No. 32179. Sample No. 4003-L.)

LIBEL FILED: November 23, 1951, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 17, 1951, by V. L. Evans & Co., from Crisfield, Md.

PRODUCT: 464 1-pint cans of oysters at Scranton, Pa.

LABEL, IN PART: "Oysters Standards."