

Analyses showed that the products supplied the constituents mentioned on the tags, except that the Hog Mineral supplied only 2.53 percent of phosphorus and the Cattle Mineral supplied only 4.1 percent of phosphorus.

LABEL, IN PART: (Tags) "Hog Mineral Guaranteed Analysis Calcium (Ca), not less than 23.0% [or "Cattle Mineral * * * not less than 25.5%"] Phosphorus (P), not less than 5.0% Salt (NaCl), not more than 10.0% Iodine (I), not less than 0.017%."

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

Misbranding, Section 403 (a), the following statements appearing in the accompanying labeling were false and misleading: (Tag) "Phosphorus (P), not less than 5.0%" and (July 27, 1950, issue of "Whitmer Pep") "to get top prices for their cattle and hogs, * * * they can do this by feeding Whitmer's Minerals * * * get them to the market with a minimum amount of feed in as short a time as possible * * * help * * * realize this ambition * * * put better livestock on the market quicker by feeding Whitmer's Minerals." The articles contained less than five percent of phosphorus, and they were not capable of fulfilling the promises of benefit made for them.

The libel also included various drugs which were adulterated and/or misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3878.

DISPOSITION: April 18, 1952. Robert Elliot Parker, Suffolk, Va., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond, conditioned that they be brought into compliance with the law, under the supervision of the Food and Drug Administration. The products were relabeled.

FISH AND SHELLFISH

19072. Adulteration of canned salmon. U. S. v. 661 Cases * * *. (F. D. C. No. 32070. Sample Nos. 28838-L, 28841-L.)

LIBEL FILED: November 7, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about August 23, 1951, by the Alaska Coast Fisheries, from Juneau, Alaska.

PRODUCT: 661 cases, each containing 48 unlabeled 1-pound cans, of salmon at Seattle, Wash.

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 salmon.

DISPOSITION: January 3, 1952. S. Einstoss, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 604½ cases were salvaged, and 39 cases and 30 cans were destroyed.

19073. Adulteration of canned salmon. U. S. v. 498 Cases * * *. (F. D. C. No. 31981. Sample Nos. 28962-L, 28965-L.)

LIBEL FILED: November 16, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about October 16, 1951, by McGovern & McGovern, from Seattle, Wash.