

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.

**PRODUCT:** 498 cases, each containing 48 unlabeled 8-ounce cans, of salmon at New York, N. Y.

**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:** March 20, 1952. Hallmark Fisheries, Inc., Charleston, Oreg., 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 and the destruction of the unfit portion, under the supervision of the Federal Security Agency. 444 cases and 51 cans of the product were salvaged, and 47 cases and 82 cans were destroyed.

**19074. Misbranding of canned sardines. U. S. v. 496 Cases \* \* \*. (F. D. C. No. 31790. Sample No. 10985-L.)**

**LIBEL FILED:** October 12, 1951, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about June 18, 1951, by the Tilghman Packing Co., from Tilghman, Md.

**PRODUCT:** 496 cases, each containing 24 1-pound, 10-ounce cans, of sardines at Cincinnati, Ohio.

**LABEL, IN PART:** "Tilghman Pan Ready For Broiling or Frying Five Individually Wrapped Sardines Herring Contents 1 Lb. 10 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label designation "Sardines" was false and misleading since the product was large herring individually parchment wrapped and packed in brine; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents (the cans were short of the declared weight).

**DISPOSITION:** On March 3, 1952, on the motion of the claimant, the shipper, the case was removed to the United States District Court for the District of Delaware. On December 8, 1952, the 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 to be relabeled, under the supervision of the Federal Security Agency.

**19075. Adulteration of crab meat. U. S. v. 52 Tins \* \* \*. (F. D. C. No. 33367. Sample No. 39207-L.)**

**LIBEL FILED:** On or about July 30, 1952, District of New Jersey; amended libel filed on or about August 7, 1952.

**ALLEGED SHIPMENT:** On or about July 23, 1952, by I. F. Cannon & Son, from Cambridge, Md.

**PRODUCT:** 52 1-pound tins of crab meat at Spring Lake, N. J.

**LABEL, IN PART:** "Cannon's Quality Fresh Picked DeLuxe Crabmeat."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of *B. coli* of fecal origin.

**DISPOSITION:** September 10, 1952. Default decree of condemnation and destruction.

**19076. Adulteration of frozen lobsters. U. S. v. 6 Cartons \* \* \*. (F. D. C. No. 33327. Sample No. 25838-L.)**

**LIBEL FILED:** July 3, 1952, Eastern District of Pennsylvania.