

**LABEL IN PART:** (Can) "Net Weight 30 Pounds Frozen Whole Eggs [or "Frozen Bakers Special Blend"] B - M - C Packed For Bakers Merchandise Co., Philadelphia, Pa."

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**PLEA:** Guilty.

**DISPOSITION:** 8-14-58. Corporation and individual fined \$300 each, plus costs.

**25056. Frozen eggs.** (F.D.C. No. 41708. S. Nos. 89-489/90 M, 89-529/30 M.)

**INFORMATION FILED:** 9-6-58, N. Dist. Ga., against Quill C. Jordan, t/a Toccoa Egg Co., Toccoa, Ga.

**ALLEGED VIOLATION:** On 8-31-56, the defendant gave to a firm engaged in the business of shipping frozen eggs in interstate commerce a guaranty to the effect that frozen eggs shipped by it under the guaranty would not be adulterated or misbranded.

Between 10-2-57 and 11-8-57, the defendant caused to be shipped to the holder of the guaranty, at Atlanta, Ga., and Tifton, Ga., quantities of frozen eggs which were adulterated.

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**PLEA:** Nolo contendere.

**DISPOSITION:** 10-17-58. Fine of \$75 and probation for 2 years.

**25057. Frozen eggs.** (F.D.C. No. 41988. S. No. 31-654 P.)

**QUANTITY:** 480 cans at Jersey City, N.J.

**SHIPPED:** 7-5-58, from Nashville, Tenn., by L. Meyer & Co.

**LABEL IN PART:** "Frozen Whole Eggs Packed for L. Meyer 30 Lbs. Net Wt. Jersey City N.J."

**LIBELED:** 8-18-58, Dist. N.J.

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**DISPOSITION:** 9-22-58. Consent—claimed by L. Meyer & Co. Segregation unsuccessful; entire lot denatured for technical use.

## FEEDS AND GRAINS

**25058. Swine feed concentrate and chickenfeed concentrate.** (F.D.C. No. 41748. S. Nos. 64-911 M, 82-993 M.)

**INFORMATION FILED:** 9-8-58, S. Dist. Ohio, against Davis Enterprises, Inc., Dayton, Ohio.

**SHIPPED:** 7-30-57, from Ohio to Indiana.

**LABEL IN PART:** (Tag label) "Davis—A-Z Feed Fortification Fortifier Concentrate For Swine Type S-302 For Hog Supplement Medicated Minimum Content Per Pound Vitamin A 100,000 U.S.P. Units Vitamin D<sub>2</sub> 250,000 U.S.P. Units Net Weight 10 Pounds" or "Davis A to Z Feed Fortification Fortifier Concentrate For Chickens Type C-102 Layer and Breeder Medicated Minimum Content Per Pound Vitamin D<sub>2</sub> 200,000 I.C. Units Net Weight 10 Pounds."

**RESULTS OF INVESTIGATION:** Analysis disclosed that the articles were 50 percent deficient in vitamin D.

**CHARGE:** Swine feed concentrate. 402(b) (1)—a valuable constituent of the article, vitamin D<sub>2</sub>, had been in part omitted from the article when shipped; and 403(a)—the label statement "Minimum Content Per Pound \* \* \* Vitamin D<sub>2</sub> 250,000 U.S.P. Units" was false and misleading.

Chickenfeed concentrate. 402(b) (1)—a valuable constituent of the article, vitamin D<sub>2</sub>, had been in part omitted from the article when shipped; and 403(a)—the label statement "Minimum Content Per Pound Vitamin D<sub>2</sub> 200,000 I.C. Units" was false and misleading.

**PLEA:** Guilty.

**DISPOSITION:** 9-19-58. Fine, \$400.

**25059. Dehydrated alfalfa meal.** (F.D.C. No. 41742. S. No. 98 P.)

**INFORMATION FILED:** 7-7-58, Dist. Kans., against Midland Industries, Inc., t/a Elk Valley Alfalfa Mills, Independence, Kans.

**SHIPPED:** 9-18-57, from Kansas to Oklahoma.

**LABEL IN PART:** (Bag) "100 lbs. Net Wt. E-V 17% Protein Fine Ground Dehydrated Alfalfa Meal \* \* \* Guaranteed Analysis Crude Protein (Minimum) 17.00 Per Cent Crude Fat (Minimum) 1.50 Per Cent Crude Fiber (Maximum) 27.00 Per Cent Ingredients: Artificially Dried Alfalfa."

**CHARGE:** 402(b) (2)—when shipped, an article containing less than 17 percent protein had been substituted for a food containing 17 percent protein; and 403(a)—the label statement "Guaranteed Analysis Crude Protein (Minimum) 17.00 Per Cent" was false and misleading.

**PLEA:** Guilty.

**DISPOSITION:** 7-7-58. Fine of \$50, plus costs.

**25060. Alfalfa meal.** (F.D.C. No. 41283. S. No. 17-553 M.)

**QUANTITY:** 274 50-lb. bags at Hampstead, Md.

**SHIPPED:** 7-8-57, from Toledo, Ohio, by Cummings & Schooler Co.

**RESULTS OF INVESTIGATION:** Examination showed that the article contained an average of 14.54 percent crude protein, an average of 29.25 percent crude fiber, and mineral oil.

**LIBELED:** 12-10-57, Dist. Md.

**CHARGE:** 402(a) (2)—when shipped, contained an added deleterious substance, mineral oil, which is unsafe within the meaning of 406 since it is not required in the production of the article and can be avoided by good manufacturing practice; and 403(a)—the label statement "Crude Protein, not less than 17.00% \* \* \* Crude Fibre, not more than 27.00%" was false and misleading.

**DISPOSITION:** 3-7-58. Default—destruction.

**25061. Alfalfa meal.** (F.D.C. No. 41581. S. No. 11-381 P.)

**QUANTITY:** 90 50-lb. bags at Buck Creek, Ind.

**SHIPPED:** 11-22-57, from East Toledo, Ohio, by Toledo Alfalfa Mills.

**LABEL IN PART:** (Bag) "Shamrock \* \* \* Dehydrated \* \* \* Alfalfa Meal 1% Animal Fat Added."

**RESULTS OF INVESTIGATION:** Examination showed the presence of mineral oil.

**LIBELED:** 2-17-58, N. Dist. Ind.