FEED

4384. Misbranding of dairy feed. U. S. v. Gwinn Bros. & Co. Plea of guilty. Fine, $400. (F. D. C. No. 7282. Sample Nos. 17421-E, 17422-E.)

On October 22, 1942, the United States attorney for the Southern District of West Virginia filed an information against Gwinn Bros. & Co., a corporation, Huntington, W. Va., alleging shipment on or about January 30, 1942, from the State of West Virginia into the State of Virginia of a quantity of dairy feed that was misbranded. The article was labeled in part: (Tags) "Merit 16% Dairy Guaranteed Analysis Protein 16% Fat 3.5%," or "Grade A Dairy Feed Guaranteed Analysis Protein 24% Fat 4%."

The article was alleged to be misbranded in that the statements "Protein 16% Fat 3.5%" and "Protein 24% Fat 4%," borne on the tags of the respective lots, were false and misleading since the former lot contained not more than 13.5 percent of protein and not more than 1.42 percent of fat and the latter contained not more than 20.63 percent of protein and not more than 1.80 percent of fat.

On December 4, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $200 on each of the 2 counts of the information.

4385. Misbranding of fish meal. U. S. v. 15 Bags of Fish Meal. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8547. Sample No. 26487-F.)

On October 7, 1942, the United States attorney for the District of Maryland filed a libel against 15 100-pound bags of fish meal at Cambridge, Md., which had been consigned by Walton Brothers, alleging that the article had been shipped in interstate commerce on or about July 2, 1942, from Philadelphia, Pa., and charging that it was misbranded. The article was labeled in part: (Tag) "Fish Meal 62% Guaranteed Analysis Protein 62% Fat 6% Fiber 3% Prepared by Chas. R. Shoemaker, Inc. * * * Philadelphia, Pa."

The article was alleged to be misbranded in that the statement "Protein 62% * * * Fiber 3%," was false and misleading as applied to the article since it contained an average of 58.31 percent of protein and an average of 4.51 percent of fiber.

On November 3, 1942, the Cambridge Manufacturing Co. of Cambridge, Md., and Chas. R. Shoemaker, Inc., of Philadelphia, Pa., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

4386. Misbranding of Mutual Dairyade Compound. U. S. v. 29 Pails of Mutual Dairyade Compound. Default decree of condemnation and destruction. (F. D. C. 7493. Sample Nos. 76871-E, 76895-E.)

On May 14, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 29 pails, each containing 25 pounds, of the above-named product at Bloomer, Wis., alleging that the article had been shipped in interstate commerce on or about May 4, 1942, by the Mutual Products Co., from Minneapolis, Minn.; and charging that it was misbranded.

Analysis of a sample of the article showed that it contained wheat bran, wheat starch, oat starch, corn starch, sucrose, salt crystals, dry skim milk, potassium iodide, yeast, iron, salt, and miscellaneous plant material.

The article was alleged to be misbranded in that statements in the labeling were false and misleading since they represented and suggested that when used as directed the article was nutritionally a substitute for skim milk in the feeding of calves, pigs, and poultry, and that when so substituted such animals and poultry would avoid disease and be assured of rapid growth, whereas it was not as nutritious as skim milk and would not be effective for such purposes.

The article was also alleged to be misbranded under the provision of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

On July 17, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FISH

4387. Adulteration of frozen perch. U. S. v. C. Louis Isenberg, (Standard Fish Co.). Plea of guilty. Fine $50. (F. D. C. No. 7251. Sample Nos. 47331-E, 47347-E.)

This product was infested with parasites.

On August 3, 1942, the United States attorney for the District of Massachusetts filed an information against C. Louis Isenberg, trading as Standard Fish Co.,