

**6680. Adulteration of meat and bone scrap. U. S. v. 600 Bags and 400 Bags of Meat Bone Scrap (and 2 other seizure actions against meat and bone scrap). Consent decree of condemnation. Product ordered released under bond.** (F. D. C. Nos. 11490, 11491, 11564. Sample Nos. 19828-F, 19859-F, 19860-F, 51378-F.)

**LIBELS FILED:** On or about December 29, 1943, and January 7, 1944, District of Connecticut.

**ALLEGED SHIPMENT:** Between the approximate dates of November 13 and December 2, 1943, by the H. M. Rubin Co., from Long Island City, N. Y.

**PRODUCT:** Meat and bone scrap: 1,000 bags at Norwich, Conn., 500 bags at Manchester, Conn., and 239 bags at Moosup, Conn., each bag containing 100 pounds.

**LABEL, IN PART:** "Rubco Meat Bone Scrap."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (1), the product contained an added deleterious substance, glass, which may have rendered it injurious to health.

**DISPOSITION:** March 30, 1944. The cases having been consolidated and the H. M. Rubin Co., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond to be used for fertilizer purposes, under the supervision of the Federal Security Agency.

**6681. Adulteration and misbranding of dog food. U. S. v. George C. Melody. Plea of guilty. Fine, \$100 and costs.** (F. D. C. No. 10635. Sample No. 33123-F.)

**INFORMATION FILED:** On March 6, 1944, in the Western District of Pennsylvania, against George C. Melody, Greensburg, Pa.

**ALLEGED SHIPMENT:** On or about June 6, 1943, from the State of Pennsylvania into the State of Maryland, by the Great Atlantic & Pacific Tea Co. This firm had a guaranty, dated February 1, 1940, and signed by the defendant, stipulating that the product was neither adulterated nor misbranded.

**LABEL, IN PART:** "Melo-Meal Dog Food \* \* \* Guaranteed Analysis Protein 28.0 Min."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a substance containing less than 28 percent of protein had been substituted in whole or in part for a product containing 28 percent of protein, which the article was represented to be.

Misbranding, Section 403 (a), the statement "Guaranteed Analysis Protein 28.0 Min." was false and misleading since the food contained not more than 21.82 percent of protein.

Giving of a false guaranty, Section 301 (h), on or about February 1, 1940, the defendant guaranteed the Great Atlantic & Pacific Tea Co. that all goods furnished to the latter company would be neither misbranded nor adulterated, and thereafter sold and delivered to that company a quantity of dog food labeled "Melo-Meal," which was adulterated and misbranded in the manner described above.

**DISPOSITION:** April 14, 1944. A plea of guilty having been entered, the defendant was fined \$100 and costs.

**6682. Misbranding of alfalfa meal. U. S. v. James A. Burk and Richard B. Miller (Cumberland Valley Alfalfa Association). Pleas of guilty. Each defendant fined \$25 on count 1; sentence suspended on count 2, and defendants placed on 1 year's probation.** (F. D. C. No. 11356. Sample Nos. 33125-F, 33126-F.)

**INFORMATION FILED:** On February 16, 1944, in the Middle District of Pennsylvania, against James A. Burk and Richard B. Miller, copartners, trading as the Cumberland Valley Alfalfa Association, at Shippensburg, Pa.

**ALLEGED SHIPMENT:** On or about July 27, 1943, from the State of Pennsylvania into the State of Maryland.

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the statements on the label of a portion of the article, "Guaranteed analysis Protein, not less than 17.0% \* \* \* Fibre, not more than 28.0%," and on the label of the remainder, "Guaranteed Analysis Protein, not less than 13.0% Fat, not less than 1.5% Fibre, not more than 33.0%," were false and misleading since the former contained not more than 14.48 percent of protein and not less than 31.61 percent

of fiber; and the latter contained not more than 8.78 percent of protein, not more than 1.29 percent of fat, and not less than 43.54 percent of fiber.

**DISPOSITION:** May 1, 1944. Pleas of guilty having been entered, each defendant was fined \$25 on count 1. Sentence was suspended on count 2, and the defendants were placed on 1 year's probation.

**6683. Misbranding of cow and hog feed. U. S. v. Mountain City Mill Co., Inc. Plea of guilty. Fine, \$500. (F. D. C. No. 11348. Sample Nos. 34403-F to 34405-F, incl.)**

**INFORMATION FILED:** On February 19, 1944, in the Eastern District of Tennessee, against the Mountain City Mill Co., Inc., Chattanooga, Tenn.

**ALLEGED SHIPMENT:** On or about May 11 and July 6, 1943, from the State of Tennessee into the State of North Carolina.

**LABEL, IN PART:** (Tags) "Blue Cow 16% Feed," or "Prize Winner Hog Feed."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (a), the statements in the labeling of the products, (cow feed) "Guaranteed Analysis Crude Protein, not less than 16.00% Crude Fat, not less than 3.00% [or "3.50%"]," and (hog feed) "Guaranteed Analysis Crude Protein, not less than 14% Crude Fat, not less than 3½%," were false and misleading since the cow feed contained in one shipment not more than 13.10 percent of crude protein and 1.99 percent of crude fat, and in the other shipment not more than 13.04 percent of crude protein and 2.11 percent of crude fat; and the hog feed contained not more than 11.85 percent of crude protein and 2.71 percent of crude fat; in addition, the statements (portion of cow feed) "Made From \* \* \* Ground Barley \* \* \* Soy Bean Oil Meal," (remainder of cow feed) "Made From \* \* \* Soy Bean Oil Meal," and (hog feed) "Ingredients \* \* \* Soy Bean Oil Meal," were false and misleading since the articles did not contain soy bean oil meal, and one lot of the cow feed did not contain ground barley; and, Section 403 (i) (2), the articles were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each such ingredient since they contained ground wheat and rye, and their labels did not declare ground wheat and rye in the list of ingredients.

**DISPOSITION:** April 17, 1944. A plea of guilty having been entered, a fine of \$500 was imposed.

**6684. Misbranding of dairy feed. U. S. v. Moore Milling Co., Inc. Plea of guilty. Fine, \$200. (F. D. C. No. 10538. Sample No. 37078-F.)**

**INFORMATION FILED:** On January 3, 1944, in the Western District of Virginia, against the Moore Milling Co., Inc., Salem, Va.

**ALLEGED SHIPMENT:** On or about March 18, 1943, from the State of Virginia into the State of West Virginia.

**LABEL, IN PART:** (Bag) "Momico \* \* \* Milk Maker," or (tag) "Milk Maker Dairy Feed."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the statements, "24% \* \* \* Guaranteed Analysis Protein Min. 24.00% \* \* \*," and "Guaranteed Analysis: Crude Protein, not less than 24.00%," in the labeling, were false and misleading as applied to the article, which contained 21.96 percent of crude protein.

**DISPOSITION:** January 12, 1944. The defendant having entered a plea of guilty, a fine of \$200 was imposed.

**6685. Misbranding of dairy and farm feed. U. S. v. Roanoke City Mills, Inc. Plea of guilty. Fine, \$50. (F. D. C. No. 10555. Sample Nos. 27662-F, 27665-F.)**

**INFORMATION FILED:** On January 3, 1944, in the Western District of Virginia, against the Roanoke City Mills, Inc., Roanoke, Va.

**ALLEGED SHIPMENT:** Or or about February 2 and March 23, 1943, from the State of Virginia into the State of West Virginia.

**LABEL, IN PART:** "Rings Producto 24% Dairy Feed \* \* \* Crude Protein 24.00%," and "Old Dominion Farm Feed \* \* \* Protein 13.00%."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the statements "24% Dairy Feed Crude Protein 24.00%," on the labeling of the dairy feed, and "Protein 13.00%," on the labeling of the farm feed, were false and misleading since the