**10784. Misbranding of dairy feed. U. S. v. Durant Milling Co. Plea of guilty. Fine, $200.** (F. D. C. No. 17846. Sample Nos. 34205–H, 34210–H.)

INFORMATION FILED: March 18, 1946, Eastern District of Oklahoma, against the Durant Milling Co., a corporation, Durant, Okla.

ALLEGED SHIPMENT: On or about February 19 and April 13, 1945, from the State of Oklahoma into the State of Texas.

LABEL, IN PART: "Indian Maid Cow Feed," or "Red Warrior Dairy Feed."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Guaranteed Analysis: Crude Protein not less than . . . 16.00 Per Cent" was false and misleading since the article contained less than 16 percent of protein.

DISPOSITION: May 27, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $100 on each count, a total fine of $200.

**10785. Misbranding of Hog Concentrate and Cattle and Sheep Pellets. U. S. v. 96 Bags * * * and 16 Bags * * *, and a number of circulars.** (F. D. C. No. 19179. Sample Nos. 50662–H, 50663–H.)

LIBEL FILED: March 5, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about January 14, 1946, by the Sioux Sales Co., from Sioux Falls, S. Dak. The circulars were delivered during August 1945.

PRODUCT: 96 100-pound bags of Hog Concentrate and 16 100-pound bags of Cattle and Sheep Pellets and 32 circulars entitled "Fortified 40% Hog Concentrate" and 20 circulars entitled "Fortified 30% Cattle Pellets," at Rushmore, Minn. Both products consisted essentially of meat scraps, soybean oil meal, fish meal, dried skim milk, dried milk albumin, riboflavin concentrate, iodized cod-liver oil, oil of wheat embryo, blood meal, irradiated brewers yeast, manganese sulfate, iron oxide, and ground limestone.

LABEL, IN PART: (Tag) "Sioux Brand Fortified 40% Hog Concentrate"; (bag) "Sioux Brand Cattle and Sheep Pellets Fortified Gland Activator."

NATURE OF CHARGE: Hog Concentrate, misbranding, Section 403 (a), the statement "Contains * * * Gland Activators," borne on the tag, and certain statements in the circular entitled "Fortified 40% Hog Concentrate" were false and misleading. These statements represented and suggested that the product would be effective to promote normal glandular function of hogs and to insure the production of normal litters and health and vitality in the sow, whereas the article would not be effective for such purposes.

Cattle and Sheep Pellets, misbranding, Section 403 (a), the statement "Fortified * * * Gland Activators," borne on the bag, and certain statements in the circular entitled "Fortified 305 Cattle Pellets" were false and misleading. These statements represented and suggested that the product contained ingredients that would be effective to promote normal glandular function of the animal, whereas the product would not be effective for such purpose.

DISPOSITION: August 8, 1946. The Sioux Sales Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**10786. Misbranding of condensed buttermilk emulsion. U. S. v. 8 Pails, etc., and 3 circulars.** (F. D. C. No. 18327. Sample No. 19294–H.)

LIBEL FILED: November 5, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: From La Harpe, Ill., by the La Harpe Creamery Co. The product was shipped on or about September 3, 1945, and the circulars were shipped during the summer of 1944.

PRODUCT: 8 50-pound pails, 2 barrels, and 11 kegs of condensed buttermilk emulsion, and 3 circulars entitled "C. B. E. the Quick Way to Profit," at Burlington, Iowa. Analysis showed that the product contained less protein than declared on its label.

LABEL, IN PART: "C. B. E. (Condensed Buttermilk Emulsions) Analysis Protein, not less than 9.0% [or "Protein, not less than 11.0%"] * * * Ingredients: Condensed Buttermilk, Whey, Wheat Germ, Cod Liver Oil."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Protein, not less than 9.0%" and "Protein, not less than 11.0%" were false and