

FEEDS AND GRAINS

18316. Adulteration and misbranding of dog food. U. S. v. Re-Dan Packing Co., a partnership, and Daniel Pearlstein. Pleas of guilty. Each defendant fined \$2,000. (F. D. C. No. 28207. Sample Nos. 8629-K, 8630-K.)

INDICTMENT RETURNED: July 26, 1951, Eastern District of New York, against the Re-Dan Packing Co., a partnership, Ozone Park, N. Y., and Daniel Pearlstein, a partner.

ALLEGED SHIPMENT: On or about March 4 and May 2, 1949, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Tex Brand Dog Food * * * Guaranteed Analysis Min. 9% Protein * * * Distributors Flagstaff Foods Perth Amboy New Jersey."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), protein, a valuable constituent of the article, had been in part omitted.

Misbranding, Section 403 (a), the statement "Guaranteed Analysis Min. 9% Protein" borne on the cans was false and misleading since the product contained less than 9 percent of protein.

DISPOSITION: March 13, 1952. Pleas of guilty having been entered, the court sentenced each defendant to pay a fine of \$2,000.

18317. Adulteration of Vitl-Diet. U. S. v. Foxbilt, Inc., and Edwin L. Fox. Pleas of nolo contendere. Fine of \$200 imposed against each defendant. Costs also were assessed. (F. D. C. No. 30617. Sample No. 85642-K.)

INFORMATION FILED: August 8, 1951, Southern District of Iowa, against Foxbilt, Inc., Des Moines, Iowa, and Edwin L. Fox, president of the corporation.

ALLEGED SHIPMENT: On or about October 24, 1950, from the State of Iowa into the State of Minnesota.

LABEL, IN PART: "Vitl-Diet * * * Contains * * * Riboflavin (80 Milligrams per lb.) * * * Vitamin D Content, Not less than 67,500 A. O. A. C. Chick Units per lb. A Concentrated Vitamin Feed Use as Directed Manufactured by Foxbilt Feeds Des Moines, Iowa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, riboflavin and vitamin D, had been in part omitted and abstracted from the article.

DISPOSITION: April 24, 1952. Pleas of nolo contendere having been entered, the court imposed a fine of \$200 against each of the defendants and assessed costs.

FISH AND SHELLFISH

18318. Adulteration of frozen haddock fillets. U. S. v. 72 Cartons * * *. (F. D. C. No. 32060. Sample No. 11216-L.)

LIBEL FILED: October 31, 1951, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 5, 1951, by the Booth Fisheries Corp., from Boston, Mass.

PRODUCT: 72 cartons, each containing 10 5-pound boxes, of frozen haddock fillets at Cleveland, Ohio.

LABEL, IN PART: "Booth Product of Canada Tastyloins Frozen Haddock Fillets."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance by reason of the presence of putrid fish.

DISPOSITION: November 27, 1951. Default decree of condemnation and destruction.

18319. Adulteration and misbranding of frozen salmon. U. S. v. 2,556 Cases
* * *. (F. D. C. No. 32121. Sample Nos. 29643-L, 30068-L, 30070-L,
30571-L, 30572-L.)

LIBEL FILED: November 21, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about October 31 and November 3 and 7, 1951, by the Romeo Packing Co., from San Francisco, Calif.

PRODUCT: 2,556 cases, containing a total of 125,945 pounds, of frozen salmon at Auburn, Wash.

LABEL, IN PART: "Salmon Steaks Layer Pack."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance; and, Section 402 (b) (2), chum salmon had been substituted for silver salmon.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, silver salmon.

DISPOSITION: May 5, 1952. The Romeo Packing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion and disposition of the remainder in compliance with the law, under the supervision of the Food and Drug Administration. 122,154 pounds were released to the claimant, and 2,141 pounds were destroyed.

18320. Adulteration and misbranding of canned herring roe. U. S. v. 20 Cases
* * *. (F. D. C. No. 31223. Sample No. 2972-L.)

LIBEL FILED: July 13, 1951, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about March 16, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: 20 cases, each containing 24 15-ounce cans, of herring roe at Alexandria, Va.

LABEL, IN PART: "Cape King Herring Roe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label declaration "Herring Roe" was false and misleading as applied to an article which consisted of roe other than herring roe.

DISPOSITION: January 28, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

18321. Adulteration of oysters. U. S. v. 172 Pints, etc. (F. D. C. No. 31854
Sample No. 25772-L.)

LIBEL FILED: October 1, 1951, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 25, 1951, by Bay Food Products Co., Inc., from Rock Point, Md.