INFORMATION FILED: December 3, 1946, Eastern District of Illinois, against the Schaefer Feed Co., East St. Louis, Ill., and Robert W. Schaefer, president.

ALLEGED SHIPMENT: On or about March 23 and April 10, 1946, from the State of Illinois into the State of Minnesota.

LABEL, IN PART: "The article was unlabeled, but was invoiced as "50% Meat Scraps."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing mineral carbonates and less than 50 percent of protein had been substituted in whole or in part for meat scraps containing 50 percent of protein which the article purported and was represented to be.

Misbranding, Section 403 (b), an article containing mineral carbonates and containing less than 50 percent of protein was offered for sale under the name of 50 percent meat scraps; Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (i) (2), it failed to bear a label containing the common or usual name of each of its ingredients.

DISPOSITION: January 6, 1947. Pleas of guilty having been entered, the court imposed a fine of $1,000 against the corporation and $500 against the individual.

11596. Adulteration and misbranding of meat and bone scraps. U. S. v. Packers By-Products Co. Plea of guilty. Fine, $700 and costs. (F. D. C. No. 20921. Sample No. 23447-H.)

INFORMATION FILED: September 17, 1946, Eastern District of Illinois, against the Packers By-Products Co., a corporation, National Stock Yards, Ill.

ALLEGED SHIPMENT: On or about September 30, 1945, from the State of Illinois into the State of Missouri.

LABEL, IN PART: The product was invoiced "50% Meat and Bone Scraps."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the article, protein, had been in part omitted and abstracted from it. The article was represented to consist of meat and bone scraps containing 50 percent of protein, but it consisted of meat and bone scraps containing less than 50 percent of protein.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, i. e., meat and bone scraps containing 50 percent of protein; Section 403 (e) (1) and (2), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), it was fabricated from two or more ingredients and failed to bear a label containing the common or usual name of each ingredient.

DISPOSITION: January 6, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $350 on each count, a total fine of $700, plus costs.

11597. Adulteration of dairy feed, poultry feed, and hog feed. U. S. v. Roux Feed Mills. Plea of nolo contendere. Fine, $550 and costs. (F. D. C. No. 20951. Sample Nos. 32755-H, 32757-H, 32758-H, 34163-H to 34167-H, incl., 34171-H, 34172-H, 34175-H.)

INFORMATION FILED: December 2, 1946, Western District of Pennsylvania, against the Roux Feed Mills, a partnership, Sharon, Pa.

ALLEGED SHIPMENT: Between the approximate dates of September 21, 1945, and July 30, 1946, from the State of Pennsylvania into the State of Maryland.

PRODUCT: The products contained less than the declared amount of protein, and in some instances they were deficient in fat and contained fiber in excess of the amount declared. Some of the products contained ingredients that were not declared on the label, or failed to contain ingredients that were declared.

LABEL, IN PART: (Roux Red Ribbon 20% Dairy) "Protein Not less than 20% Fat Not less than 3%"; (Roux Breeding Mash) "Guaranteed Analysis Protein 20%"; (Roux Red Ribbon 24% Dairy) "Guaranteed Analysis Protein Not less than 24%"; (Roux Porkmaster Hog Meal, both shipments) "Protein 18%" and (1 shipment) "Ingredients Gluten Feed * * * Calcium Carbonate and Salt"; (Roux Red Ribbon 16% Dairy) "Protein 16% * * * Ingredients Corn Gluten Feed * * * Linseed Oil Meal * * * 1% Steam Bone Meal * * * 1% Salt and Molasses"; (Roux Broiler Mash, 1 shipment) "Protein Not less than 18%"; (second shipment) "Protein Not Less Than 20%

Fat Not Less Than 3.5% Fibre Not Over 8% * * * Ingredients * * * Wheat Bran, Wheat Midds * * * Meat Scrap, Fish Meal"; (Roux Egg Mash) "Protein 20% * * * Fibre 8% Ingredients * * * Fish Meal * * * Wheat Bran, Wheat Midds * * * Choice Meat Scraps."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements quoted above were false and misleading since the articles contained less than the declared amounts of protein; and the 16% Dairy Feed, one lot of hog feed, and the egg mash did not contain "Corn Gluten Feed, Linseed Oil Meal, 1% Steam Bone Meal, 1% Salt and Molasses," or "Gluten Feed, Calcium Carbonate and Salt," or "Fish Meal, Wheat Bran, Wheat Middlings, Choice Meat Scraps," as declared on their respective labels.

Misbranding, Section 403 (i) (2), the articles were fabricated from 2 or more ingredients, and the labels of certain lots failed to bear the common or usual name of each such ingredient. The 20 percent dairy feed contained undeclared alfalfa meal; the 24 percent dairy feed contained undeclared ground screenings (barley hulls, wheat chaf, weed seeds, etc.); the broiler mash and egg mash contained undeclared linseed oil meal, ground wheat, and ground barley; and one lot of the breeding mash contained undeclared corn gluten feed and ground wheat. another lot contained undeclared corn gluten feed, and a remaining lot contained undeclared wheat bran.

DISPOSITION: March 17, 1947. A plea of nolo contendere having been entered, the court imposed a fine of $50 on each of the 11 counts of the information, a total fine of $550, plus costs.

11598. Misbranding of alfalfa meal and alfalfa leaf meal. U. S. v. Caney Valley Cooperative Drying Association. Plea of guilty. Fine, $100. (F. D. C. No. 20947. Sample Nos. 33404–H, 33406–H, 33407–H.)

INFORMATION FILED: January 8, 1947, Southern District of Texas, against the Caney Valley Cooperative Drying Association, a corporation, Boling, Tex.

ALLEGED SHIPMENT: On or about September 20 and 22 and October 30, 1945, from the State of Texas into the State of Kansas.

LABEL, IN PART: "Dehydrated Alfalfa Meal [or "Caro-Green Dehydrated Alfalfa Leaf Meal"] Distributed by Caro-Green Laboratories, Kansas City, Mo."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Crude Protein, not less than 15.0% [or "17.0%," or "20.0%"]," were false and misleading since the articles contained less than the declared amounts of protein. The statements "Crude Fiber, not more than 18.0%" and "Dehydrated Alfalfa Leaf Meal," on the label of the leaf meal, were false and misleading since the product contained more than 18 percent of crude fiber and did not consist of alfalfa leaf meal, but did consist of alfalfa meal.

DISPOSITION: February 5, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $100.

FISH AND SHELLFISH

11599. Adulteration of rosefish. U. S. v. 545 Cartons * * *. (F. D. C. No. 20875. Sample No. 39002–H.)

LIBEL FILED: September 13, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about August 13, 1946, by Booth Fisheries, from Gloucester, Mass.

PRODUCT: 545 10-pound cartons of rosefish at Detroit, Mich.

LABEL, IN PART: "Rosefish * * * Packed by Fabet Corporation, Gloucester, Mass."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: November 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

11600. Adulteration of smoked salmon. U. S. v. 5 Cases, etc. (and 4 other seizure actions). (F. D. C. Nos. 20751, 20753, 20754, 20890, 21138. Sample Nos. 56494–H, 57336–H to 57338–H, incl., 66959–H, 66960–H.)

LIBELS FILED: August 26 and on or about October 3 and 10, 1946, District of Massachusetts and Western District of Missouri.