

FEEDS AND GRAINS

12684. Misbranding of alfalfa meal. U. S. v. AAA Alfalfa Milling Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 23579. Sample No. 72245-H.)

INFORMATION FILED: October 6, 1947, District of New Mexico, against the AAA Alfalfa Milling Co., a partnership, Roswell, N. Mex.

ALLEGED SHIPMENT: On or about July 18, 1946, from the State of New Mexico into the State of Kansas.

LABEL, IN PART: "17% Dehydrated Alfalfa Meal * * * Guaranteed Analysis * * * Fiber, not more than 27% * * * 100 Lbs. Net."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Fiber, not more than 27%" was false and misleading, since the article contained more than 27 percent of fiber; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The bags were short-weight.)

DISPOSITION: October 27, 1947. A plea of nolo contendere having been entered, the defendant was fined \$100.

12685. Misbranding of cottonseed meal. U. S. v. Chickasha Cotton Oil Co. (Altus Cotton Oil Mill). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 23613. Sample No. 33293-H.)

INFORMATION FILED: November 3, 1947, Western District of Oklahoma, against the Chickasha Cotton Oil Co., a corporation, trading as the Altus Cotton Oil Mill, at Altus, Okla.

ALLEGED SHIPMENT: On or about March 5, 1947, from the State of Oklahoma into the State of Texas.

LABEL, IN PART: "Chickasha Quality Brand 43% Protein Cottonseed Meal * * * Guaranteed Analysis * * * Crude Protein not less than 43.00 Per Cent."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Guaranteed Analysis * * * Crude Protein not less than 43.00 Per Cent" was false and misleading, since the product contained less than 43 percent of crude protein.

DISPOSITION: January 7, 1948. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$100 was imposed.

12686. Misbranding of cottonseed cake and meal. U. S. v. The Southern Cotton Oil Company. Plea of nolo contendere. Fine, \$25. (F. D. C. No. 23596. Sample No. 86135-H.)

INFORMATION FILED: October 15, 1947, Eastern District of Arkansas, against The Southern Cotton Oil Co., Little Rock, Ark.

ALLEGED SHIPMENT: On or about April 14, 1947, from the State of Arkansas into the State of Kansas.

LABEL, IN PART: "Navy Brand * * * Manufactured for Louis Tobian & Company, Dallas, Texas Guaranteed Analysis Crude Protein, not less than 41.00%."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Crude Protein, not less than 41.00%" was false and misleading, since the product contained less than 41 percent of crude protein.

DISPOSITION: November 4, 1947. A plea of nolo contendere having been entered, the defendant was fined \$25 and ordered to make restitution for the percentage of protein deficiency.

12687. Misbranding of peanut meal. U. S. v. Stevens Industries, Inc. (Dawson Cotton Oil Company). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 23330. Sample No. 72345-H.)

INFORMATION FILED: August 15, 1947, Middle District of Georgia, against Stevens Industries, Inc., trading as the Dawson Cotton Oil Company, Dawson, Ga.

ALLEGED SHIPMENT: On or about April 2, 1947, from the State of Georgia into the State of Maryland.

LABEL, IN PART: "Georgia Brand 41% Protein Peanut Meal * * * Manufactured for The Boswell Company Atlanta, Ga. Guaranteed Analysis Crude Protein, not less than . . . 41.00% * * * Crude Fibre, not more than . . . 16.00%."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements were false and misleading, since the product contained less than 41 percent of protein and more than 16 percent of fiber.

DISPOSITION: November 12, 1947. A plea of nolo contendere having been entered, the defendant was fined \$200.

FISH AND SHELLFISH

12688. Adulteration of frozen rosefish fillets. U. S. v. 1,913 Boxes * * *
(F. D. C. No. 23382. Sample Nos. 15561-H, 15565-H.)

LIBEL FILED: August 4, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 11, 1947, by the Rocky Bay Fishing Co., from Gloucester, Mass.

PRODUCT: 1,913 10-pound boxes of frozen rosefish fillets at Chicago, Ill.

LABEL, IN PART: "Cello Rosefish Packed by Supreme Fillet Co."

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

DISPOSITION: October 14, 1947. Default decree of condemnation and destruction.

12689. Adulteration and misbranding of salmon. U. S. v. 231 Cartons, etc.
(F. D. C. No. 23664. Sample Nos. 66773-H, 66774-H.)

LIBEL FILED: September 4, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about August 2, 1947, by the Kent Packing Co., from Rock Hall, Md.

PRODUCT: 667 cartons, each containing 24 cans of salmon at New York, N. Y.

LABEL, IN PART: "Jo-Mey Pink [or "Red"] Salmon Food Marketers Distributors New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the portion labeled "Pink Salmon" consisted in whole or in part of decomposed fish; and, Section 402 (b) (2), the remainder consisted of fish other than red salmon, which had been substituted in whole or in part for red salmon.

Misbranding, Section 403 (a), the designation "Red Salmon" was false and misleading as applied to an article other than red salmon.

DISPOSITION: January 28, 1948. Joseph Spira, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered. The product was released under bond, conditioned that the lot labeled "Pink Salmon" be destroyed and that the lot labeled "Red Salmon" be relabeled, under the supervision of the Federal Security Agency.

12690. Adulteration of frozen whiting fillets. U. S. v. 2,096 Boxes * * *
(F. D. C. No. 23964. Sample No. 14102-K.)

LIBEL FILED: November 17, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 23, 1947, by the General Freezer & Storage Co., Inc., from New Bedford, Mass.

PRODUCT: 2,096 boxes, each containing 10 pounds, of frozen whiting fillets at Chicago, Ill.

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

DISPOSITION: March 17, 1948. Default decree of condemnation and destruction.

12691. Adulteration of canned oysters. U. S. v. 124 1-Gallon Cans * * *
(F. D. C. No. 24183. Sample No. 4616-K.)

LIBEL FILED: On or about December 18, 1947, District of Rhode Island.

ALLEGED SHIPMENT: On or about November 3, 1947, by the Stavis Ipswich Clam Co., from Boston, Mass.

PRODUCT: 124 1-gallon cans of fresh oysters at Quonset Point, R. I.

LABEL, IN PART: "One Gallon Fresh Oysters Carl C. Green Dist. Co. Crisfield, Md.

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

DISPOSITION: January 23, 1948. The claimant having indicated its consent, judgment of condemnation was entered and the product was ordered destroyed.