

containing not less than 20 percent of crude protein and not more than 22 percent of crude fiber, which the product was represented to be. Misbranding, Section 403 (a), the label statements "20% Dehydrated Alfalfa Meal * * * Guaranteed Analysis Crude protein, not less than ---- 20.0%" and "Crude Fiber, not more than ---- 22.0%" were false and misleading.

Bremco Alfalfa Meal. Adulteration, Section 402 (b) (2), a product containing less than 13 percent of protein had been substituted for alfalfa meal containing not less than 13 percent of protein, which the product was represented to be; and, Section 403 (a), the label statement "Alfalfa Meal Protein, not less than ---- 13.0%" was false and misleading.

DISPOSITION: June 15, 1950. Pleas of guilty having been entered, each defendant was fined \$400. Payment of the fine by the individual defendant was suspended upon payment of the \$400 fine by the corporation, plus costs.

16475. Adulteration and misbranding of dairy feed. U. S. v. Kentucky Chemical Industries, Inc. (Proviso Feeds & Concentrates). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 29108. Sample Nos. 39371-K, 39375-K.)

INFORMATION FILED: April 27, 1950, Southern District of Indiana, against the Kentucky Chemical Industries, Inc., trading as Proviso Feeds & Concentrates, Lawrenceburg, Ind.

ALLEGED SHIPMENT: On or about March 2 and April 29, 1949, from the State of Indiana into the State of Kentucky.

LABEL, IN PART: "Big V Brand 16% Protein Dairy Feed * * * Guaranteed Analysis Protein, not less than ---- 16.00 (%) Fat, not less than ---- 3.50 (%)" and "Big Bargain 24% Dairy Feed * * * Guaranteed Analysis Protein, not less than ---- 24.00 (%) Fat, not less than ---- 3.00 (%)."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 16 percent protein and less than 3.50 percent fat had been substituted for the 16 percent protein dairy feed, and a product containing less than 24 percent protein and less than 3 percent fat had been substituted for the 24 percent dairy feed.

Misbranding, Section 403 (a), the label statements "16% Protein Dairy Feed * * * Guaranteed Analysis Protein, not less than ---- 16.00 (%) Fat, not less than ---- 3.50 (%)" and "24% Dairy Feed * * * Guaranteed Analysis Protein, not less than ---- 24.00 (%) Fat, not less than ---- 3.00 (%)" were false and misleading since the products contained less protein and less fat than the labeled amounts.

DISPOSITION: July 28, 1950. A plea of nolo contendere having been entered, the court fined the defendant \$200.

16476. Adulteration and misbranding of animal feed (ground phosphate rock). U. S. v. 650 Bags * * *. (F. D. C. No. 29312. Sample No. 80970-K.)

LIBEL FILED: May 12, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 27, 1950, by Ward Steed, from Inverness, Fla.

PRODUCT: 650 100-pound bags of ground phosphate rock at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a soft phosphate with colloidal clay containing less than 21.08 percent phosphoric acid and less than 32.33 percent calcium oxide had been substituted for a soft phosphate with colloidal clay containing 21.08 percent phosphoric acid and 32.33 percent cal-

cium oxide, which the article was represented to be in a letter written by the shipper.

Misbranding, Section 403 (e) (1) and (2), the article 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) (1), the label of the article failed to bear the common or usual name of the article.

DISPOSITION: August 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as fertilizer.

16477. Adulteration and misbranding of animal feed. U. S. v. 100 Drums, etc.
(F. D. C. No. 29093. Sample No. 80969-K.)

LIBEL FILED: On or about May 5, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about February 17, 1950, by Tri Foods, from Concordia, Mo.

PRODUCT: 100 50-pound drums and 60 100-pound drums of animal feed at Burlington, N. J.

LABEL, IN PART: (Drum) "Shearer's Emulseast Concentrate."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), a clay-like material which increased the viscosity of the mixture had been added thereto and mixed and packed therewith so as to make the article appear better or of greater value than it was.

Misbranding, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: June 12, 1950. Default decree of condemnation and destruction.

16478. Adulteration and misbranding of mineral and vitamin feed. U. S. v. 280 Bags * * *. (F. D. C. No. 29103. Sample No. 64663-K.)

LIBEL FILED: May 12, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about April 5, 1950, by the Marblehead Lime Co., from Hannibal, Mo.

PRODUCT: 280 100-pound bags of mineral and vitamin feed at Pipestone, Minn.

Analysis disclosed that the product had essentially the composition declared on the label, with the exception that it contained less than the declared amount of riboflavin.

LABEL, IN PART: (Tag) "Net Weight 100 Lbs. Peavy's Feed-Rite Mineral For Hogs and Poultry * * * Ingredients (per ton) Di-Calcium Phosphate 100 lbs. Iron and Copper Blend 40 lbs. Curacao Phosphate 230 lbs. (Iron Oxide and Copper Sulphate) Defluorinated Phosphate 100 lbs. Cobalt Carbonate 0.50 lbs. Steamed Bone Meal 100 lbs. Irradiated Yeast 2 lbs. Limestone 1,198 lbs. (source of Vitamin D₂) (98% Calc. Carb. 39% Elemental Calc.) Niacin 397 grams Salt 190 lbs. Riboflavin 26 grams Potassium Iodide (stabilized) 1.25 lbs. Merck Stabilizer 2 lbs. Mineral Oil 28 lbs. Manganese Sulphate 6.50 lbs. Anise and Molasses Flavor 1 lb."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, riboflavin, had been in part omitted from the product.

Misbranding, Section 403 (a), the label statements "* * *" to help fortify the hog against loss of appetite, diarrhea, paralysis of hind quarters, skin