DISPOSITION: January 16, 1951. Alvin Richter, Herman Kolb, and Ida Feuerstein, doing business as Richter & Kolb, Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the purpose of segregating the fit from the unfit portion, under the supervision of the Food and Drug Administration. Segregation operations resulted in 25 cans being destroyed and 39 cans being released as passable.

FEEDS AND GRAINS

17221. Misbranding of Alfa-Zyme feed. U. S. v. Rossmoyne Processing Corp. Plea of not guilty. Tried to the Court. Verdict of guilty. Sentence suspended and corporation placed on probation for 1 year. (F. D. C. No. 27484. Sample No. 39367-K.)

INFORMATION FILED: July 6, 1949, Middle District of Pennsylvania, against the Rossmoyne Processing Corp., Camp Hill, Pa.

ALLEGED SHIPMENT: On or about January 5, 1949, from the State of Pennsylvania into the State of Kentucky.

LABEL, IN PART: "100 Pounds Net 'Alfa-Zyme Brand' Feed Made by Rossmoyne Processing Corp. Camp Hill, Pennsylvania Guaranteed Analysis Protein 9.50% Fat 1.00% Fiber 14.00% Made From: Dehydrated Alfalfa Meal, Soybean Oil Meal, Enzyme Digested Flour, Cultured with Yeast and Lactic Acid forming Bacteria."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Protein 9.50%" was false and misleading since the product contained less than 9.50% protein; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and the label failed to bear the common or usual name of each such ingredient since the product contained oat hulls and rice hulls, which were not declared on the label.

DISPOSITION: A plea of not guilty having been entered, the matter came on for trial before the court on January 15, 1951. On the same day, the court handed down a verdict of guilty, suspended the imposition of sentence, and placed the corporation on probation for 1 year.

17222. Adulteration and misbranding of dog food. U. S. v. 25 Cases * * *. (F. D. C. No. 29937. Sample No. 58810-K.)

LIBEL FILED: October 18, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 21, 1950, by Cousins VirDel, Inc., from South Lyon, Mich.

PRODUCT: 25 cases, each containing 48 15½-ounce cans, of dog food at La Grange, Ill.

LABEL, IN PART: "Dinner Bell Dog Rations Analysis Protein, Minimum 12.5% Fat, Minimum 2.0%."

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

Misbranding, Section 403 (a), the label designations "Protein, Minimum 12.5% Fat, Minimum 2.0%" were false and misleading as applied to an article which contained less than those amounts of protein and fat.

DISPOSITION: February 20, 1951. Default decree of condemnation and destruction.