

CHARGE: Swine feed concentrate. 402(b)(1)—a valuable constituent of the article, vitamin D₂, had been in part omitted from the article when shipped; and 403(a)—the label statement "Minimum Content Per Pound * * * Vitamin D₂ 250,000 U.S.P. Units" was false and misleading.

Chickenfeed concentrate. 402(b)(1)—a valuable constituent of the article, vitamin D₂, had been in part omitted from the article when shipped; and 403(a)—the label statement "Minimum Content Per Pound Vitamin D₂ 200,000 I.C. Units" was false and misleading.

PLEA: Guilty.

DISPOSITION: 9-19-58. Fine, \$400.

25059. Dehydrated alfalfa meal. (F.D.C. No. 41742. S. No. 98 P.)

INFORMATION FILED: 7-7-58, Dist. Kans., against Midland Industries, Inc., t/a Elk Valley Alfalfa Mills, Independence, Kans.

SHIPPED: 9-18-57, from Kansas to Oklahoma.

LABEL IN PART: (Bag) "100 lbs. Net Wt. E-V 17% Protein Fine Ground Dehydrated Alfalfa Meal * * * Guaranteed Analysis Crude Protein (Minimum) 17.00 Per Cent Crude Fat (Minimum) 1.50 Per Cent Crude Fiber (Maximum) 27.00 Per Cent Ingredients: Artificially Dried Alfalfa."

CHARGE: 402(b)(2)—when shipped, an article containing less than 17 percent protein had been substituted for a food containing 17 percent protein; and 403(a)—the label statement "Guaranteed Analysis Crude Protein (Minimum) 17.00 Per Cent" was false and misleading.

PLEA: Guilty.

DISPOSITION: 7-7-58. Fine of \$50, plus costs.

25060. Alfalfa meal. (F.D.C. No. 41283. S. No. 17-553 M.)

QUANTITY: 274 50-lb. bags at Hampstead, Md.

SHIPPED: 7-8-57, from Toledo, Ohio, by Cummings & Schooler Co.

RESULTS OF INVESTIGATION: Examination showed that the article contained an average of 14.54 percent crude protein, an average of 29.25 percent crude fiber, and mineral oil.

LIBELED: 12-10-57, Dist. Md.

CHARGE: 402(a)(2)—when shipped, contained an added deleterious substance, mineral oil, which is unsafe within the meaning of 406 since it is not required in the production of the article and can be avoided by good manufacturing practice; and 403(a)—the label statement "Crude Protein, not less than 17.00% * * * Crude Fibre, not more than 27.00%" was false and misleading.

DISPOSITION: 3-7-58. Default—destruction.

25061. Alfalfa meal. (F.D.C. No. 41581. S. No. 11-381 P.)

QUANTITY: 90 50-lb. bags at Buck Creek, Ind.

SHIPPED: 11-22-57, from East Toledo, Ohio, by Toledo Alfalfa Mills.

LABEL IN PART: (Bag) "Shamrock * * * Dehydrated * * * Alfalfa Meal 1% Animal Fat Added."

RESULTS OF INVESTIGATION: Examination showed the presence of mineral oil.

LIBELED: 2-17-58, N. Dist. Ind.

CHARGE: 402(a) (2)—when shipped, contained an added deleterious substance, mineral oil, which is unsafe within the meaning of 406(a) since it is not required in the production of the article and can be avoided by good manufacturing practices; and 403(i) (2)—the article was fabricated from two or more ingredients, and the label failed to bear the common or usual name of each such ingredient.

DISPOSITION: 4-23-58. Default—destruction.

25062. Sweet corn silage. (F.D.C. No. 41284. S. No. 79-139 M.)

QUANTITY: 75 tons at Ridgefield, Conn.

SHIPPED: Between 9-4-57 and 10-31-57, quantities of corn stalks were shipped from the State of New York, to a farm at Ridgefield, Conn., by Miss Alice C. Williams, and filled into a silo located on the farm.

RESULTS OF INVESTIGATION: The above-mentioned corn stalks were sold to Miss Alice C. Williams by Milton Kessman, Patterson, N.Y., a grower of sweet corn (sprayed with DDT) on farms in Dutchess County, New York.

LIBELED: 12-14-57, Dist. Conn.

CHARGE: 402(a) (2)—the article was a raw agricultural commodity and contained, when shipped, a pesticide chemical, namely DDT, which is unsafe within the meaning of the law since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on corn stalks (or corn stover) has been prescribed by regulations.

DISPOSITION: 3-6-58. Default—destruction.

FISH AND SHELLFISH

25063. Frozen haddock fillets. (F.D.C. No. 41865. S. No. 7-507 P.)

QUANTITY: 85 10-lb. boxes at Boston, Mass.

SHIPPED: The fillets were from fish caught in the waters of the Atlantic Ocean, outside the limits of Massachusetts, by the fishing vessel "Winchester" and landed at Boston, Mass., on 6-2-58.

LABEL IN PART: (Box) "Haddock Fillets New England Fillet Co. Fish Pier, Boston."

LIBELED: 6-16-58, Dist. Mass.

CHARGE: 402(a) (3)—contained decomposed fish when shipped.

DISPOSITION: 7-23-58. Default—delivered to a public institution, for use as animal feed.

25064. Frozen haddock fillets. (F.D.C. No. 41945. S. No. 7-517 P.)

QUANTITY: 23 ctns., 5 10-lb. boxes each, at Boston, Mass.

SHIPPED: The fillets were from fish caught by the fishing vessel "Racer" in the Atlantic Ocean outside the limits of Massachusetts, on 7-7-58.

LIBELED: 7-21-58, Dist. Mass.

CHARGE: 402(a) (3)—contained decomposed fish when shipped.

DISPOSITION: 8-18-58. Default—consumption by animals.

25065. Frozen haddock fillets. (F.D.C. No. 41954. S. No. 7-713 P.)

QUANTITY: 11 cases, 5 10-lb. boxes each, at Boston, Mass.