

12508. Misbranding of dairy feed. U. S. v. Shawnee Milling Co. (Hugo Milling Co.). Plea of nolo contendere. Fine, \$150. (F. D. C. No. 22052. Sample No. 33285-H.)

INFORMATION FILED: On or about April 22, 1947, Eastern District of Oklahoma, against the Shawnee Milling Co., a corporation, trading as the Hugo Milling Co., at Hugo, Okla.

ALLEGED SHIPMENT: On or about September 10, 1946, from the State of Oklahoma into the State of Texas.

LABEL, IN PART: "Carnation Brand Dairy Feed."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Guaranteed Analysis Crude Protein Not Less Than 16.60 Percent * * * Crude Fiber Not More Than 13.60 Percent" were false and misleading, since the article contained less than 16.60 percent of protein and more than 13.60 percent of crude fiber.

DISPOSITION: July 15, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$150.

12509. Misbranding of egg mash. U. S. v. 300 Bags * * *. (F. D. C. No. 21670. Sample No. 54596-H.)

LABEL FILED: November 25, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 13, 1946, by the Sioux Soya Co., from Sioux City, Iowa.

PRODUCT: 300 100-pound bags of egg mash at Gainesville, Ga.

LABEL, IN PART: "18% Egg Mash."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Maximum Crude Fibre 7%" was false and misleading as applied to the article, which contained 11.5 percent of crude fiber.

DISPOSITION: February 7, 1947. J. D. Jewell, Inc., Gainesville, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured and utilized for hog and dairy feed, under the supervision of the Food and Drug Administration.

FISH AND SHELLFISH

12510. Adulteration of frozen halibut. U. S. v. 1,754 Pounds * * *. (F. D. C. No. 23845. Sample No. 8705-K.)

LABEL FILED: October 14, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 8, 1947, by North Sidney Agencies, Ltd., from North Sidney, Nova Scotia, Canada.

PRODUCT: 1,754 pounds of frozen halibut at New York, N. Y.

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

DISPOSITION: November 17, 1947. Default decree of condemnation and destruction.

12511. Adulteration of frozen yellow pike. U. S. v. 353 Pounds and 664 Pounds * * *. (F. D. C. No. 23864. Sample Nos. 8707-K, 8708-K.)

LABEL FILED: October 23, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about September 9, 1947, by the Main Fish Co., from Montreal, Canada.

PRODUCT: 1,017 pounds of frozen yellow pike at New York, N. Y.

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

DISPOSITION: November 17, 1947, Default decree of condemnation and destruction.

12512. Adulteration of frozen tullibeas. U. S. v. 29 Boxes * * *. (F. D. C. No. 23966. Sample Nos. 7802-K, 7804-K.)

LABEL FILED: November 7, 1947, Western District of New York.

ALLEGED SHIPMENT: On or about October 28, 1947, by the Baltimore Fish & Oyster Co., from Fort Erie, Ontario, Canada.

PRODUCT: 21 100-pound boxes and 8 50-pound boxes of frozen tullibeas at Buffalo, N. Y.

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

DISPOSITION: December 10, 1947. Default decree of condemnation and destruction.

12513. Adulteration and misbranding of canned salmon. U. S. v. 1,000 Cartons * * *. (F. D. C. No. 23634. Sample No. 66771-H.)

LIBEL FILED: August 14, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about July 19, 1947, by the Kent Packing Co., from Rock Hall, Md.

PRODUCT: 1,000 cartons, each containing 24 15½-ounce cans, of salmon at New York, N. Y.

LABEL, IN PART: (Cans) "Jo-Mey Pink Salmon Food Marketers Distributors New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product other than pink salmon had been substituted in whole or in part for pink salmon.

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

DISPOSITION: October 9, 1947. Joseph Spira, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Food and Drug Administration.

12514. Adulteration of Saliniase Bagong fish. U. S. v. 14 Cases * * *. (F. D. C. No. 23063. Sample No. 75730-H.)

LIBEL FILED: June 10, 1947, District of Hawaii.

ALLEGED SHIPMENT: On or about May 13, 1947, by American Factors, Ltd., from San Francisco, Calif.

PRODUCT: 14 cases, each containing 24 14-ounce jars, of Saliniase Bagong fish at Ahukini, T. H.

LABEL, IN PART: "Estancia Brand Saliniase Bagong Fish * * * Packed for Modern Food Products."

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

DISPOSITION: August 1, 1947. Default decree of condemnation and destruction.

12515. Misbranding of fibered codfish. U. S. v. 14 Cases * * *. (F. D. C. No. 23495. Sample No. 87633-H.)

LIBEL FILED: July 14, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about April 2, 1947, by J. W. Beardsley's Sons, Newark, N. J.

PRODUCT: 14 5-pound cases of fibered codfish at New York, N. Y. Examination showed that the product contained numerous small bones; however, the term "fibered codfish" is employed in the trade to apply to a boneless, shredded codfish.

LABEL, IN PART: "Matchless Fibered Codfish in Bulk."

NATURE OF CHARGE: Misbranding, Section 403 (a), the name "Fibered Codfish" was false and misleading as applied to a product from which little or none of the bones had been removed.

DISPOSITION: August 27, 1947. Default decree of condemnation and destruction.

12516. Adulteration and misbranding of crab meat. U. S. v. 87 Cases * * * (and 5 other seizure actions). (F. D. C. Nos. 21259, 21592, 21601, 21669, 21966, 23094. Sample Nos. 57165-H, 57767-H, 63482-H, 64582-H, 65235-H, 65941-H, 66014-H, 83258-H.)

LIBELS FILED: Between the approximate dates of October 25, 1946, and June 27, 1947, District of Rhode Island, Eastern District of Pennsylvania, District of New Jersey, District of Massachusetts, and Northern District of Ohio.