

13609. Adulteration and misbranding of soybean oil meal and cake. U. S. v. Cotton Products Co., Inc. (Opelousas Oil Mill). Plea of nolo contendere. Fine, \$500. (F. D. C. No. 24533. Sample Nos. 76507-H to 76509-H, incl. 76512-H.)

INFORMATION FILED: May 10, 1948, Western District of Louisiana, against the Cotton Products Co., Inc., trading as Opelousas Oil Mill at Opelousas, La.

ALLEGED SHIPMENT: On or about May 9, 10, 12, and 14, 1947, from the State of Louisiana into the State of Texas.

LABEL, IN PART: "Soy Bean Oil Cracked Cake" and "Soy Bean Oil Meal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), calcium carbonate had been substituted in part for "Soy Bean Oil Cracked Cake" and "Soy Bean Oil Meal."

Misbranding, Section 403 (a), the label statements "Soy Bean Oil Cracked Cake" and "Soy Bean Oil Meal" were false and misleading since they represented and suggested that the articles consisted of soybean oil cracked cake and soybean oil meal, respectively, whereas the articles consisted of a mixture of soybean oil cracked cake or soy bean oil meal and calcium carbonate.

DISPOSITION: May 31, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$500.

13610. Misbranding of cottonseed meal. U. S. v. Cen-Tex Cooperative Oil Mill. Plea of guilty. Fine, \$750. (F. D. C. No. 24517. Sample No. 21521-K.)

INFORMATION FILED: April 22, 1948, Western District of Texas, against Cen-Tex Cooperative Oil Mill, a corporation, Thorndale, Tex.

ALLEGED SHIPMENT: On or about August 9, 1947, from the State of Texas into the State of Oklahoma.

LABEL, IN PART: "Guaranteed Analysis Equity Brand Cottonseed Cake & Meal Protein not less than 41% * * * Manufactured for Feeders Supply and Mfg. Co. * * * Kansas City, Mo."

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

DISPOSITION: November 10, 1948. A plea of guilty having been entered, the defendant was fined \$750.

13611. Misbranding of cottonseed screenings. U. S. v. Southern Cotton Oil Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 24528. Sample No. 38027-K.)

INFORMATION FILED: September 24, 1948, Western District of Tennessee, against the Southern Cotton Oil Co., a corporation, Memphis, Tenn.

ALLEGED SHIPMENT: On or about September 22, 1947, from the State of Tennessee into the State of Kansas.

LABEL, IN PART: "Gold Seal Brand 41 Per Cent Protein Cotton Seed Meal."

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

DISPOSITION: October 29, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$250.

13612. Misbranding of oyster shell. U. S. v. Mayo Shell Corp. Plea of guilty. Fine, \$1,500; \$1,000 of fine suspended and defendant placed on probation for 3 years. (F. D. C. No. 24569. Sample Nos. 86134-H, 86136-H, 86138-H.)

INFORMATION FILED: May 24, 1948, Southern District of Texas, against the Mayo Shell Corp., Houston, Tex.

ALLEGED SHIPMENT: On or about April 16 and May 1 and 22, 1947, from the State of Texas into the State of Kansas.

LABEL, IN PART: "Mayo's Snowflake Pure Reef Oyster Shell * * * Guaranteed Analysis Calcium Carbonate (Ca CO₃) not less than 97.00%."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Calcium Carbonate (Ca CO₃) not less than 97.00%" was false and misleading since the product contained less than 97 percent of calcium carbonate.

DISPOSITION: September 17, 1948. A plea of guilty having been entered, the corporation was fined \$1,500, of which \$1,000 was suspended, and the defendant was placed on probation for 3 years.

13613. Adulteration and misbranding of dog food. U. S. v. Daniel Pearlstein (Re-Dan Packing Co.). Plea of guilty. Fine, \$400. (F. D. C. No. 23575. Sample No. 6556-H.)

INFORMATION FILED: September 17, 1948, Eastern District of New York, against Daniel Pearlstein, formerly trading as the Re-Dan Packing Co., Ozone Park, N. Y.

ALLEGED SHIPMENT: On or about April 23, 1947, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Cadet Dog Food * * * Protein—9.00% Min."

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

Misbranding, Section 403 (a), the label statement "Protein—9.00% Min." was false and misleading since the product contained less than 9 percent of protein.

DISPOSITION: December 9, 1948. A plea of guilty having been entered, the defendant was fined \$400.

13614. Adulteration and misbranding of dog food. U. S. v. Reuben Gittelman (Best Dog Food Co.). Plea of guilty. Fine, \$400. (F. D. C. No. 24520. Sample Nos. 39265-K, 39266-K.)

LIBEL FILED: September 17, 1948, Eastern District of New York, against Reuben Gittelman, trading as the Best Dog Food Co., at Astoria, N. Y.

ALLEGED SHIPMENT: On or about July 1 and August 29, 1947, from the State of New York into the State of Maryland.

LABEL, IN PART: "Vita-Best Kibblan-Meal * * * Protein 26.67%" or "Vita-Best * * * Kibbled Biscuits Analysis: Protein 20.31%."

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

Misbranding, Section 403 (a), the label statements "Protein 26.67%" or "Protein 20.31%" were false and misleading since the products contained less than the declared amount of protein.

DISPOSITION: October 21, 1948. A plea of guilty having been entered, the defendant was fined \$400.

13615. Adulteration and misbranding of dog and cat food. U. S. v. 682 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 22114, 22535. Sample Nos. 34179-H, 34180-H, 61210-H, 61217-H.)

LIBELS FILED: December 20, 1946, and February 13, 1947, District of Columbia and Western District of New York.

ALLEGED SHIPMENT: On or about November 1 and 6 and December 13 and 19, 1946, by the Dr. George C. Melody Co., from Greensburg, Pa.

PRODUCT: 1,210 cases at Washington, D. C., and 2,792 cases at Buffalo, N. Y., of dog and cat food. Each case contained 12 jars. Samples of the product were found to contain protein in amounts ranging from 4.10 percent to 5.01 percent.

LABEL, IN PART: "Dr. Melody's Dog & Cat Food Contents 30 Oz. [or "15 Oz."]
* * * Protein 7.00% Min."

NATURE OF CHARGE: Adulteration (Buffalo lot), Section 402 (b) (1), a valuable constituent, protein, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Protein 7.00% Min.," was false and misleading as applied to the article, which contained less than the declared amount of protein.

DISPOSITION: January 17 and February 13, 1947. The Dr. George C. Melody Co., claimant, having consented to the entry of a decree, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

13616. Adulteration of cat food and adulteration and misbranding of dog food. U. S. v. 27 Cases, etc. (F. D. C. No. 22143. Sample Nos. 90712-H, 90713-H.)

LIBEL FILED: January 2, 1947, District of Columbia.