

**DISPOSITION:** October 10, 1945. George Makins having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**10281. Adulteration of frozen mixed eggs. U. S. v. 925 Cans of Frozen Mixed Eggs. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17714. Sample No. 29929-H.)

**LIBEL FILED:** October 4, 1945, Northern District of California.

**ALLEGED SHIPMENT:** On or about August 24, 1945, by Worthington Creamery and Produce Co., from Worthington, Minn.

**PRODUCT:** 925 30-pound cans of frozen mixed eggs at San Francisco, Calif.

**LABEL, IN PART:** "Worthmore Brand Frozen Mixed Eggs."

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

**DISPOSITION:** October 10, 1945. C. A. Swanson & Sons having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

### FEEDS AND GRAINS

**10282. Adulteration and misbranding of dog feed. U. S. v. Warner Dog Food Co., Inc. Plea of guilty. Fine, \$120.** (F. D. C. No. 16602. Sample Nos. 32741-H, 32742-H, 32744-H.)

**INFORMATION FILED:** February 27, 1946, Eastern District of New York, against the Warner Dog Food Co., Inc., Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about January 23 and March 8, 1945, from the State of New York into the State of Maryland.

**LABEL, IN PART:** "All Breed," or "Dog Cakes."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance containing less than 24 percent of protein had been substituted in whole or in part for a product containing 24 percent of protein, which the articles were represented to be.

Misbranding, Section 403 (a), the label statements, "Analysis Protein 24 per cent" and "Analysis Minimum Protein 24 percent," were false and misleading since they represented and suggested that the articles contained 24 percent of protein, whereas they contained less than that amount of protein.

**DISPOSITION:** March 21, 1946. A plea of guilty having been entered, the court imposed a fine of \$20 on each of the 6 counts of the information.

**10283. Misbranding of crab meal (poultry feed). U. S. v. Sea Board Supply Co. Plea of nolo contendere. Fine, \$300.** (F. D. C. No. 17789. Sample Nos. 32745-H, 32747-H.)

**INFORMATION FILED:** January 29, 1946, Eastern District of Pennsylvania, against the Sea Board Supply Co., a corporation, Philadelphia, Pa.

**ALLEGED SHIPMENT:** On or about March 26 and 29, 1945, from the State of Pennsylvania into the State of Maryland.

**PRODUCT:** Analyses of samples from the 2 shipments showed an average of 29.16 and 29.68 percent, respectively, of crude protein.

**LABEL, IN PART:** "Sea Board Products Crab Meal."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the statement "Guaranteed Analysis Protein 32.00%," borne on the label of the article, was false and misleading since the product contained less than 32 percent of protein.

**DISPOSITION:** March 13, 1946. A plea of nolo contendere having been entered, the court imposed a fine of \$150 on each count, a total fine of \$300.

**10284. Misbranding of alfalfa meal. U. S. v. Pecos Valley Alfalfa Mill Co. Plea of nolo contendere. Fine, \$50.** (F. D. C. No. 17811. Sample No. 23-H.)

**INFORMATION FILED:** February 25, 1946, District of New Mexico, against the Pecos Valley Alfalfa Mill Co., a partnership, Dexter, N. Mex.

**ALLEGED SHIPMENT:** On or about November 23, 1944, from the State of New Mexico into the State of North Carolina.

**LABEL, IN PART:** "Velvet Brand Alfalfa Meal \* \* \* Protein \* \* \* 17%."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Protein \* \* \* 17%" was false and misleading since the article contained less than 17 percent of protein.

**DISPOSITION:** March 18, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50.

### FISH AND SHELLFISH

**10285. Adulteration and misbranding of canned mackerel. U. S. v. Parrott & Co. and Coast Grocery Co. Pleas of nolo contendere. Fine of \$50 against each defendant. (F. D. C. No. 17780. Sample Nos. 13550-H, 29204-H, 29205-H.)**

**INFORMATION FILED:** February 13, 1946, Northern District of California, against Parrott & Co. and the Coast Grocery Co., San Francisco, Calif.

**ALLEGED SHIPMENT:** On or about January 30, 1945, from the State of California into the State of Kentucky.

**LABEL, IN PART:** "Val Vita Brand California Mackerel \* \* \* Packed by California Sea Food Co., Long Beach, Calif."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish; and, Section 402 (b) (2), a variety of fish, commonly called horse mackerel, had been substituted in whole or in part for mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading since it represented and suggested that the article consisted entirely of mackerel. The article did not consist entirely of mackerel, but consisted in part of horse mackerel.

**DISPOSITION:** July 17, 1946. Pleas of nolo contendere having been entered on behalf of both defendants, the court imposed a total fine of \$50 against each defendant.

**10286. Adulteration of anchovy filets. U. S. v. 30 Cases and 300 Cans of Filet of Anchovies. Default decrees of destruction. (F. D. C. Nos. 17649, 17650. Sample Nos. 2931-H, 2932-H.)**

**LIBELS FILED:** October 11 and 15, 1945, Eastern District of Virginia.

**ALLEGED SHIPMENT:** June 22, 1945, by H. Schoenfeld Sons, from New York, N. Y.

**PRODUCT:** 30 cases, each containing 100 6-ounce cans, and 300 6-ounce cans of anchovy filets at Richmond and Fort Myer, Va.

**LABEL, IN PART:** "Club Brand Filet of Anchovies."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance since it was disintegrated and decomposed.

**DISPOSITION:** December 3 and 4, 1945. No claimants having appeared, judgments were entered ordering that the product be destroyed.

**10287. Adulteration of frozen rosefish filets. U. S. v. 3,217 Cartons of Frozen Rosefish Filets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17705. Sample Nos. 10932-H, 10936-H, 10937-H.)**

**LIBEL FILED:** October 5, 1945, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 11, 1945, by the New England Cold Storage Co., from Portland, Maine.

**PRODUCT:** 3,217 10-pound cartons of frozen rosefish filets at Pittsburgh, Pa.

**LABEL, IN PART:** "Rosefish Maine Fillet Co. Inc. Holyoke Wharf Portland Me."

**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 parasites.

**DISPOSITION:** October 12, 1945. Morris Benkovitz, Pittsburgh, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the elimination of the unfit portion and the salvaging of the fit portion, under the supervision of the Food and Drug Administration.