

**10409. Misbranding of poultry and stock feed. U. S. v. Ada Milling Co. Plea of guilty. Fine, \$300.** (F. D. C. No. 21429. Sample Nos. 34214-H to 34217-H, incl., 34219-H, 34220-H.)

**INFORMATION FILED:** December 9, 1946, Eastern District of Oklahoma, against the Ada Milling Co., a corporation, Ada, Okla.

**ALLEGED SHIPMENT:** On or about November 30 and December 7, 1945, and January 7 and 12, 1946, from the State of Oklahoma into the State of Texas.

**PRODUCT:** The "Shortstop Brand" feed contained more crude fiber, and the other feeds contained less protein, than declared on the labels.

**LABEL, IN PART:** "Shortstop Brand Rice Hulls, And Wheat Low-Grade Feed Flour And Wheat Bran," "Evergreen Brand Laying Pellets," "Full-O-Lasses Brand Mixed Feed," or "Evergreen Brand Chick Starter Pellets [or "Mash"]."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the following statements on the respective labels were false and misleading: (*Shortstop Brand Feed*) "Guaranteed Analysis Crude Fiber (Max.) 21.00%"; (*Evergreen Brand Laying Pellets*) "Guaranteed Analysis Crude Protein not less than 18.00 Per Cent"; (*Full-O-Lasses Brand Mixed Feed*) "Guaranteed Analysis Crude Protein not less than 9.00%"; (*Chick Starter Pellets and Mash*) "Guaranteed Analysis Crude Protein not less than 19.00 Per Cent."

**DISPOSITION:** January 8, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50 on each of 6 counts, a total fine of \$300.

**10410. Misbranding of stock feed. U. S. v. 530 Bags \* \* \*. (F. D. C. No. 21774. Sample No. 19398-H.)**

**LIBEL FILED:** November 27, 1946, District of South Dakota.

**ALLEGED SHIPMENT:** On or about October 16, 1946, by the Pitman Grain Co., from Wichita Falls, Tex.

**PRODUCT:** 530 100-pound bags of stock feed at Sioux Falls, S. Dak. Analysis showed the presence of 9.68 percent of protein and 31.11 percent of fiber.

**LABEL, IN PART:** "Circle Bar Alfalfa Meal and Cane Molasses Guaranteed Analysis Crude Protein not less than 11.30 per cent crude fiber not more than 28.50 per cent."

**NATURE OF CHARGE:** Misbranding; Section 403 (a), the label statements, "Crude Protein not less than 11.30 per cent crude fiber not more than 28.50 per cent," were false and misleading.

**DISPOSITION:** December 30, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a welfare institution.

**10411. Adulteration and misbranding of dog and cat food. U. S. v. 697 Cases \* \* \*. (F. D. C. No. 22371. Sample Nos. 42958-H, 60551-H.)**

**LIBEL FILED:** January 7, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 2, 1947, by H. L. Carpel of Baltimore, Inc., from Baltimore, Md. This was a return shipment to the original shipper.

**PRODUCT:** 697 cases, each containing 12 jars, of dog and cat food at Greensburg, Pa., in the possession of the Dr. George C. Melody Co.

**LABEL, IN PART:** "Dr. Melody's Dog & Cat Food Analysis Protein 7.00% Min."

**NATURE OF CHARGE:** Adulteration, 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 an article containing less than the declared amount of protein.

**DISPOSITION:** January 23, 1947. Dr. George C. Melody, claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.