

Misbranding, Sections 403 (e) (1) and (2), the product was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the product failed to bear a label containing the common or usual name of the food.

DISPOSITION: February 11, 1949. Default decree of condemnation. The product was ordered sold, conditioned that it should not be sold to a dealer, and that the purchaser feed it to stock under his own care.

14877. Adulteration of corn. U. S. v. 299 Sacks * * *. (F. D. C. No. 26871. Sample No. 45571-K.)

LABEL FILED: March 16, 1949, Western District of Arkansas.

ALLEGED SHIPMENT: On or about November 1, 1948, by Frank S. Garwood & Sons, Stonington, Ill.

PRODUCT: 299 sacks, each containing 56 pounds, of corn at Hot Springs, Ark. The product had been treated for use as seed corn, but it was sold as animal feed.

LABEL, IN PART: "Funk's 'G' Hybrid Special Seed Treatment Applied (Poison) * * * Feed."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added deleterious substance, a mercury compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

DISPOSITION: May 10, 1949. Default decree of condemnation and destruction.

14878. Misbranding of Yeastex. U. S. v. 600 Bags * * *. (F. D. C. No. 26377. Sample Nos. 29721-K, 29722-K.)

LABEL FILED: January 4, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about November 12, 1948, by the Yeastex Co., from Monticello, Iowa.

PRODUCT: 600 100-pound bags of Yeastex at Denver, Colo. Examination showed that the product was an animal feed mixture consisting essentially of moisture, ash, fat, protein, and crude fiber.

LABEL, IN PART: (Bags) "Yeastex * * * A High fermentative live-cell yeast culture"; (tag) "Yeastex-G" or "Yeastex."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements on the label of the portion of the article labeled "Yeastex-G" were false and misleading. These statements represented and suggested that the article would be effective in promoting health, protecting against illness, and aiding in the digestion of food, and that it would increase vigor, growth, and production in animals and poultry, whereas the article would not be effective for such purposes.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2689.

DISPOSITION: February 25, 1949. The Yeastex Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Federal Security Agency.