

**FEEDS AND GRAINS**

**18872. Adulteration and misbranding of lespedeza screenings. U. S. v. 1,200 Bags \* \* \*. (F. D. C. No. 33618. Sample No. 53129-L.)**

**LIBEL FILED:** On or about August 4, 1952, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about January 14, 1952, by Frazier Seed Co., Inc., from Coffeyville, Kans.

**PRODUCT:** 1,200 unlabeled bags of a product invoiced as "Unground Lespedeza Screenings" at Marshfield, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), grain sweepings and dirt had been substituted in whole or in part for lespedeza screenings. (Examination showed that the article was a mixture of lespedeza seeds, sorghum, oats, weed seeds, chaff, stems, and dirt.)

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, unground lespedeza screenings; Sections 403 (e) (1) and (2), it was food 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; Section 403 (i) (1), the label failed to bear the common or usual name of the food; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

**DISPOSITION:** October 8, 1952. Default decree of condemnation and destruction.

**18873. Adulteration and misbranding of soybean oil meal. U. S. v. 450 Sacks \* \* \*. Consent decree of condemnation; product ordered released under bond. Motion by Government to forfeit bond for failure to comply with conditions of decree; Government's motion dismissed upon payment of \$2,500 by claimant. (F. D. C. No. 30999. Sample No. 16180-L.)**

**LIBEL FILED:** On or about July 9, 1951, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about March 3, 1951, by the Eureka Milling Co., from Roanoke, Ill.

**PRODUCT:** 450 sacks, each containing 100 pounds, of soybean oil meal at Lee's Summit, Mo.

**LABEL, IN PART:** "Emco 41 Percent Protein Soybean Oil Meal."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), an article containing added calcium carbonate had been substituted in whole or in part for soybean oil meal.

Misbranding, Section 403 (a), the name "Soybean Oil Meal" borne on the label was false and misleading as applied to an article containing added calcium carbonate; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since calcium carbonate present in the product was not declared on the label.

**DISPOSITION:** On August 24, 1951, the Eureka Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned