

LABEL, IN PART: "13% Sun Cured Alfalfa Meal * * * Protein, not less than 13.00% * * * Fiber, not more than 36.00%."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, protein, had been in whole or in part omitted or abstracted from the product; and, Section 402 (b) (2), a product containing low protein and high fiber had been substituted for alfalfa meal.

Misbranding, Section 403 (a) the label statement "Protein, not less than 13.00% * * * Fiber, not more than 36.00%" was false and misleading since the product contained less than the labeled amount of protein and more than the labeled amount of fiber.

DISPOSITION: December 15, 1952. The Waterloo Dehydrating Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.

20024. Adulteration and misbranding of cottonseed meal. U. S. v. 80 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 34285, 34286. Sample Nos. 44178-L, 61025-L.)

LIBELS FILED: December 5 and 9, 1952, Eastern and Western Districts of Oklahoma.

ALLEGED SHIPMENT: On or about August 25 and September 9, 1952, by Val Tex, Inc., from Brownsville, Tex.

PRODUCT: 330 100-pound bags of cottonseed meal at Chickasha and Manchester, Okla.

LABEL, IN PART: "Navy Brand 41% Protein Cottonseed Cake and Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained sand, an added deleterious substance, which may have rendered it injurious to health; Section 402 (b) (2), sand had been substituted in whole or in part for cottonseed cake and meal; and, Section 402 (b) (4), sand had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (a), the label designation "Cottonseed Cake and Meal" was false and misleading as applied to the product, which contained sand.

DISPOSITION: January 15 and March 2, 1953. Default decrees of condemnation and destruction.

FISH AND SHELLFISH

20025. Adulteration of frozen ocean perch fillets. U. S. v. 1,441 Cartons * * * (F. D. C. No. 34369. Sample Nos. 54934-L, 54935-L.)

LIBEL FILED: November 28, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 30, 1952, by J. Kozloff Fish Distributors, Inc., from Detroit, Mich.

PRODUCT: 1,441 10-pound cartons of frozen ocean perch fillets at Chicago, Ill.

LABEL, IN PART: "Frozen Ocean Perch Fillets * * * Davis Bros. Fish Corp. Gloucester, Mass."

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

DISPOSITION: January 15, 1953. Default decree of condemnation and destruction.

20026. Adulteration and misbranding of canned sardines. U. S. v. 1,700 Cases, etc. (F. D. C. No. 34261. Sample Nos. 42556-L, 42557-L.)

LIBEL FILED: December 2, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 20, 1952, the Sea Beach Packing Co., Monterey, Calif., delivered the product to San Francisco, Calif., for shipment to the Philippine Islands.

PRODUCT: 2,650 cases, each containing 100 5-ounce cans, of sardines at San Francisco, Calif. Examination showed that the product was anchovies.

LABEL, IN PART: (Cans) "Luna Brand California Sardines Water and Salt Added" or "Unno Brand California Sardines in Tomato Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), anchovies had been substituted in whole or in part for sardines.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, sardines.

DISPOSITION: February 9, 1953. Dale Simmons, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

20027. Adulteration and misbranding of canned sardines. U. S. v. 258 Cases * * *. (F. D. C. No. 34262. Sample No. 42398-L.)

LIBEL FILED: December 2, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 19, 1952, the Sea Beach Packing Co., Monterey, Calif., delivered the product to San Francisco, Calif., for shipment to the Philippine Islands.

PRODUCT: 258 cases, each containing 100 5-ounce cans, of sardines at San Francisco, Calif. Examination showed that the product was anchovies.

LABEL, IN PART: (Can) "Velera Brand California Sardines in Tomato Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), anchovies had been substituted in whole or in part for sardines.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, sardines.

DISPOSITION: February 13, 1953. P. J. Rhodes & Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

20028. Adulteration and misbranding of canned sardines. U. S. v. 1,079 Cases * * *. (F. D. C. No. 34256. Sample No. 42555-L.)

LIBEL FILED: December 2, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 18, 1952, by the Enterprise Packing Co., from Monterey, Calif., to San Francisco, Calif., for shipment to the Philippine Islands.

PRODUCT: 1,079 cases, each containing 100 5-ounce cans, of sardines at San Francisco, Calif. Examination showed that the product was anchovies.

LABEL, IN PART: (Can) "AAA Triple A Brand In Tomato Sauce * * * California Sardines."