Syllabus

IN THE MATTER OF

BEWLEY MILLS

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 4739. Complaint, Mar. 23, 1942—Decision, Sept. 21, 1942

Where a corporation, engaged in interstate sale and distribution of its "Red Anchor" poultry and stock feeds; by means of advertisements in newspapers and periodicals, radio continuities, and circulars, leaflets, pamphlets, and other advertising literature—

(a) Falsely represented and implied that its "Broiler Starter" and "Broiler Finisher" chick feed gave better and more economical results than other feeds; that its said "Starter" feed was perfectly balanced and contained every food element essential to insure a healthy start for baby chicks, and that, containing Vitamin D elements, it insured lower mortality, more rapid growth, sturdier and stronger chicks than other starter feeds;

(b) Represented that its "Egg Mash" feed, in combination with its "Hen Scratch," contained every essential food element, gave the highest feeding results, produced eggs of the highest quality, contained a greater proportion of essential ingredients than did other commercial feeds, increased hatchability of eggs and vigor and vitality of laying hens, and insured stronger chicks; contained all the essential food elements for greater production and was higher in Vitamin G content than were competitive products; and that numerous tests disclosed that it took less of said product to produce a given number of eggs than of other feeds, and that the amount used could be reduced and still produce more eggs than other egg mash feeds;

The facts being growing chicks do not need the extra vitamins and other extra ingredients purportedly found in its said growing mash unless such chicks have been receiving food deficient therein; and its various representations, as above set forth, were false;

(c) Falsely represented that better cattle and sheep were produced by feeding its "Cattle and Sheep Chunkets" than by feeding other products; and that its "All Mash Turkey Starter" contained a special mineral balance and a greater quantity of Vitamins A and D than other mashes, and that it would produce more No. 1 turkeys than others; and

(d) Represented that the use of its said feeds would result in highest production at lowest cost, and that they were perfectly balanced and thoroughly tested under actual feeding conditions so as to insure better and more economical results regardless of feeding conditions; and that they would give maximum production for the least cost over a long period of time;

The facts being its products were not perefectly balanced feeds for general use under all and any conditions, and use thereof would not bring such results; many elements such as location, air, water, soil, runs, housing, sunshine, cleanlines, and regularity in care and feeding contribute to the quality of poultry and eggs; growth and production of flocks and maximum results could not be "insured" or "guaranteed" through such use; compound and rpepare a balanced feed for particular flock deficiencies, which may vary mate-

rially, must be known, and the feed prepared accordingly; and its said products had not been thoroughly tested scientifically under actual feeding conditions by any system meeting requirements of State or Federal officials, or by experienced and competent poultrymen;

With capacity and tendency of misleading and deceiving a substantial portion of the purchasing public into the mistaken belief that such statements were true, thereby inducing it to purchase substantial quantities of said products:

Held, That such acts and practices, under the circumstances set forth, were all to the prejudice and injury of the public, and constituted unfair and deceptive acts and practices in commerce.

Mr. Jesse D. Kash for the Commission.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and by virtue of the authority vested in it by said act, the Federal Trade Commission having reason to believe that Bewley Mills, a corporation, hereinafter referred to as respondent, has violated the provisions of said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. The respondent, Bewley Mills, is a corporation, organized and existing under and by virtue of the laws of the State of Texas and having its office and principal place of business at Fort Worth, Tex.

PAR. 2. Respondent is now, and for more than 1 year last past has been, engaged in the sale and distribution in commerce between and among the various States of the United States and in the District of Columbia of poultry and stock feeds designated Bewley's Red Anchor Feeds. Respondent causes its said products, when sold, to be transported from its aforesaid place of business in the State of Texas to purchasers thereof located in various other States of the United States and in the District of Columbia.

Respondent at all times mentioned herein has maintained a course of trade in said poultry and stock feeds in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of its aforesaid business, the respondent has disseminated, and is now disseminating, and has caused and is now causing the dissemination of false advertisements concerning its products, hereinafter named, by the United States mail and by various other means in commerce, as commerce is defined in

the Federal Trade Commission Act, and respondent has also disseminated and is now disseminating, and has caused and is now causing the dissemination of false advertisements concerning said products by various means for the purpose of inducing, which are likely to induce, directly or indirectly, the purchase of its said products in commerce as defined in the Federal Trade Commission Act. Among and typical of the false, misleading, and deceptive statements and representations, relating to the specific product hereinafter indicated, contained in said false advertisements disseminated and caused to be disseminated, as hereinabove set forth, by the United States mail, by advertisements in newspapers and periodicals, by radio continuities and by circulars, leaflets, pamphlets, and other advertising literature, are the following:

Red Anchor Broiler Starter and Broiler Finisher

This high quality growing feed is a favorite among many poultrymen in the Southwest who look ahead for future poultry profits. If you raise your chicks for broilers, try Red Anchor Broiler Starter and Broiler Finisher and see if you don't get better and more economical results.

Chicks may be held on Red Anchor Broiler Starter until ready for market with outstanding results. We recommend, however, that at the age of 6 to 7 weeks, chicks be changed to Red Anchor Broiler Finisher. This method of feeding lowers total feed cost and insures a better finished broiler.

Perfectly balanced and thoroughly tested under actual feeding conditions, Red Anchor Starting Feeds give the baby chicks everything they need to insure a healthy start in life; * * *.

Bewley's Anchor Feeds

Bewley's Anchor Feeds Maximum Production at Minimum Cost.

Red Anchor Feeds are perfectly balanced and throughly tested under actual feeding conditions to insure better results for you regardless of your feeding need.

Haphazard feeding may produce eggs over a short period; but to get maximum production for least cost over a long period the Bewley's Anchor Feed route is the sure way.

Red Anchor Chick Starter

Anchor Chick Starter contains dried milk, cod liver oil, potassium iodine, manganese sulphate, insures lower mortality, more rapid growth, sturdier chicks.

Red Anchor Egg Mash

In addition to this quality Breeder Mash these birds should be fed a well balanced scratch feed, such as Red Anchor Hen Scratch. We believe that Red Anchor Egg Mash for Breeders contains every essential food element for maximum feeding results in producing hatching eggs of highest quality when fed in combination with Red Anchor Hen Scratch.

This quality feed contains increased proportions of certain feed ingredients, as compared to feeds we recommend for commercial egg production, that will increase hatchability, increase the vigor and vitality of the producer, and insure stronger chicks.

This quality mash feed contains both the scratch and mash ingredients, and we believe contains all essential food elements for maximum production.

We suggest that baby chicks be secured from breeding flocks that have been fed Red Anchor Egg Mash for Breeders, as we believe this quality feed will insure stronger chicks.

Red Anchor Egg Mash insures more eggs * * * eggs higher in quality; eggs with increased hatchability that will produce stronger chicks.

Red Anchor Egg Mash—high in Vitamin G content, which increases hatchability, insures stronger chicks and faster growth.

And in addition, numerous tests have proven that it requires less Bewley's Anchor Egg Mash to produce a given number of eggs than other egg mashes—that over a definite period the total amount of mash consumed will be cut down materially, and still production will be increased.

Cattle and Sheep Chunkets

For better results in the feed lot and on the range buy Red Anchor Cattle and Sheep Chunkets.

Bewley's Red Anchor All Mash Turkey Starter

It contains a high milk content and a special mineral balance; increased Vitamins A and D; and is guaranteed to insure more #1 birds for the market.

PAR. 4. Through the use of the statements and representations used in said false advertisements, as aforesaid, and others similar thereto not specifically set out herein, respondent has represented and implied:

1. That its products designated Red Anchor Broiler Starter and Broiler Finisher as feed for chicks raised for broilers gives better and more economical results than can be obtained from the use of other feeds; that its said product Red Anchor Broiler Finisher as a feed for chicks 6 to 7 weeks old, theretofore fed its product Red Anchor Broiler Starter, will cause total feed cost to be lower and produce better broilers than will other feeds; that its product Red Anchor Starter Feed is perfectly balanced and contains every food element essential to insure a healthy start in life for baby chicks.

2. That the use of its products designated Red Anchor Feeds will result in the highest production at the lowest cost for poultry; that said feeds are perfectly balanced, thoroughly tested under actual feeding conditions so as to insure better and more economical results regardless of feeding conditions; and that they will give maximum production for the least cost over a long period of time.

3. That its product Red Anchor Chick Starter, containing Vitamin D elements, insures lower mortality, more rapid growth, sturdier and stronger chicks than that obtained through the use of other starter feeds.

4. That its product Red Anchor Egg Mash Feed, in combination with its product Red Anchor Hen Scratch, contains every essential food element, gives the highest feeding results, and produces eggs of the highest quality; that it contains a greater proportion of certain essential feed ingredients than do other commercial feeds sold for egg

production; that it increases hatchability of eggs, the vigor and vitality of laying hens, and insures stronger chicks; that it contains all the essential food elements for greater production and is higher in vitamin G content than are competitive products; that numerous tests disclose that it takes less of said product to produce a given number of eggs than it takes of other feeds; and that the amount of such product used may be reduced and still produce more eggs than would be produced by other egg mash feeds.

5. That better cattle and sheep are produced by feeding its product Red Anchor Cattle and Sheep Chunkets than are produced by feeding other products.

6. That its product All Mash Turkey Starter contains a special mineral balance and a greater quantity of vitamins A and D than do other mashes, and that it will produce more No. 1 turkeys than will be produced through the use of other turkey mashes.

PAR. 5. The foregoing statements and representations contained in said advertisements aforesaid are grossly exaggerated, false, and misleading. In truth and in fact, better and more economical results are not obtained through the use of respondent's products Red Anchor Broiler Starter and Red Anchor Broiler Finisher than are obtained through feeding chicks other similar feed products. The use of its product Red Anchor Broiler Finisher as a feed for chicks which have been fed its product Red Anchor Broiler Starter will not lower feed costs and will not produce better broilers than will be produced through the use of other similar feed products. Respondent's Starter Feed products are not perfectly balanced and have not been thoroughly tested under all actual feeding conditions, and they do not give baby chicks everything needed to insure a healthy start in life.

The use of respondent's products will not result in the highest production at the lowest cost for poultry; they are not perfectly balanced feeds for general use under all and any conditions, as there are many elements besides feed that are important in raising and handling poultry, such as location, air, water, soil, runs, housing, sunshine, cleanliness, and regularity in care and feeding, all of which contribute to the quality of poultry and eggs. The growth and production of flocks and maximum results cannot be "insured" or "guaranteed" through the use of respondent's said products. To compound and prepare a balanced feed for poultry, flock deficiencies must be known and the feed prepared to supply such deficiencies as exist in a particular flock. The deficiencies in a particular flock may vary materially from other flocks and require a different balance or different quantities of the essential ingredients. Such feed products have not been thoroughly tested scientifically under actual feeding conditions by any

system of tests meeting the requirements of State or Federal officials or by experienced and competent poultrymen.

The use of respondent's product Red Anchor Chick Starter will not result in a lower mortality rate, a more rapid growth, or sturdier or stronger chicks than will result from the feeding of other commercial poultry feeds.

Respondent's product Red Anchor Egg Mash Feed, used in combination with respondent's product Red Anchor Hen Scratch, does not contain every essential food element necessary to produce the highest feeding results, and it does not produce eggs of the highest quality. It does not contain a greater proportion of certain essential food ingredients than do other commercial feeds sold for egg production. It will not increase the hatchability of eggs, the vigor and vitality of laying hens or insure or produce stronger chicks. It does not contain all of the scratch and mash ingredients and essential food elements necessary to cause the highest egg production possible. Its use does not result in a higher egg production than that obtained through the use of other commercial poultry feeds. It does not take less of said product to produce a given number of eggs than it does of other commercial feeds.

Growing chicks do not need the extra vitamins and other extra ingredients purportedly found in respondent's product Red Anchor Growing Mash unless such chicks have been and are receiving food that is deficient in the vitamins and other extra ingredients purportedly found in respondent's said product.

Better cattle and sheep will not be produced through using respondent's product Red Anchor Cattle and Sheep Chunkets than will be produced by feeding other commercial feeds.

Respondent's Red Anchor All Mash Turkey Starter will not produce more No. 1 turkeys than will be produced through feeding other commercial turkey feeds.

PAR. 6. The use by the respondent of the aforesaid false, deceptive, and misleading statements, representations and advertisements disseminated as aforesaid with respect to its said poultry and stock feeds has had, and now has, the capacity and tendency to, and does, mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that such false statements, representations, and advertisements are true and induces a substantial portion of the purchasing public, because of such erroneous and mistaken belief, to purchase substantial quantities of respondent's said products.

PAR. 7. The aforesaid acts and practices of the respondent, as herein alleged, are all to the prejudice and injury of the public and constitute

unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

Report, Findings as to the Facts, and Order

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission, on March 23, 1942, issued and thereafter served its complaint in this proceeding upon the respondent, Bewley Mills, a corporation, charging it with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. On April 13, 1942, the respondent filed its answer in this proceeding. Thereafter a stipulation was entered into whereby it was stipulated and agreed that a statement of facts, signed and executed by the respondent and Richard P. Whiteley, Assistant Chief Counsel for the Federal Trade Commission, subject to the approval of the Commission, may be taken as the facts in this proceeding and in lieu of testimony in support of the charges stated in the complaint, or in opposition thereto, and that said Commission may proceed on said statement of facts to make its report, stating its findings as to the facts and its conclusion based thereon (including inferences which it may draw from said stipulated facts), and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs. The respondent expressly waived the filing of report upon the evidence by the trial examiner. Thereafter this proceeding came on for final hearing before the Commission on said complaint, answer, and stipulation, said stipulation having been approved, accepted, and filed; and the Commission, having duly considered the same and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes this its findings as to the facts and its conclusion drawn therefrom.

Findings as to the Facts

Paragraph 1. The respondent, Bewley Mills, is a corporation, organized and existing under and by virtue of the laws of the State of Texas and having its office and principal place of business at Fort Worth, Tex.

Par. 2. Respondent is now, and for more than 1 year last past has been, engaged in the sale and distribution in commerce between and among the various States of the United States and in the District of Columbia of poultry and stock feeds designated Bewley's Red Anchor Feeds. Respondent causes its said products, when sold, to be transported from its aforesaid place of business in the State of Texas to

purchasers thereof located in various other States of the United States and in the District of Columbia.

Respondent at all times mentioned herein has maintained a course of trade in said poultry and stock feeds in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of its aforesaid business the respondent has disseminated and is now disseminating, and has caused and is now causing the dissemination of, various advertisements concerning its products, hereinafter named, by the United States mail and by various other means in commerce, as commerce is defined in the Federal Trade Commission Act; and respondent has also disseminated and is now disseminating, and has caused and is now causing the dissemination of, various advertisements concerning said products by various means for the purpose of inducing, and which are likely to induce, directly or indirectly, the purchase of its said products in commerce, as commerce is defined in the Federal Trade Commission Act. Among and typical of the various misleading and deceptive statements and representations, relating to the specific product hereinafter indicated, contained in said various advertisements disseminated and caused to be disseminated as hereinabove set forth, by the United States mail, by advertisements in newspapers and periodicals, by radio continuities and by circulars, leaflets, pamphlets, and other advertising literature, are the following:

Red Anchor Broiler Starter and Broiler Finisher

This high quality growing feed is a favorite among many poultrymen in the Southwest who look ahead for future poultry profits. If you raise your chicks for broilers, try Red Anchor Broiler Starter and Broiler Finisher and see if you don't get better and more economical results.

Chicks may be held on Red Anchor Broiler Starter until ready for market with outstanding results. We recommend, however, that at the age of 6 and 7 weeks, chicks be changed to Red Anchor Broiler Finisher. This method of feeding lowers total feed cost and insures a better finished broiler.

Perfectly balanced and thoroughly tested under actual feeding conditions, Red Anchor Starting Feeds give the baby chicks everything they need to insure a healthy start in life; * * *

Bewley's Anchor Feeds

Bewley's Anchor Feeds Maximum Production at Minimum Cost.

Red Anchor Feeds are perfectly balanced and thoroughly tested under actual feeding conditions to insure better results for you regardless of your feeding need.

Haphazard feeding may produce eggs over a short period; but to get maximum production for least cost over a long period the Bewley's Anchor Feed route is the sure way.

Red Anchor Chick Starter

Anchor Chick Starter contains dried milk, cod liver oil, potassium iodine, manganese sulphate, insures lower mortality, more rapid growth, sturdier chicks.

Red Anchor Egg Mash

In addition to this quality Breeder Mash these birds should be fed a well balanced scratch feed, such as Red Anchor Hen Scratch. We believe that Red Anchor Egg Mash for Breeders contains every essential food element for maximum feeding results in producing hatching eggs of highest quality when fed in combination with Red Anchor Hen Scratch.

This quality feed contains increased proportions of certain feed ingredients, as compared to feeds we recommend for commercial egg production, that will increase hatchability, increase the vigor and vitality of the producer, and insure stronger chicks.

This quality mash feed contains both the scratch and mash ingredients, and we believe contains all essential food elements for maximum production.

We suggest that baby chicks be secured from breeding flocks that have been fed Red Anchor Egg Mash for Breeders, as we believe this quality feed will insure stronger chicks.

Red Anchor Egg Mash insures more eggs * * * eggs higher in quality; eggs with increased hatchability that will produce stronger chicks.

Red Anchor Egg Mash—high in Vitamin G content, which increases hatchability, insures stronger chicks and faster growth.

And in addition, numerous tests have proven that it requires less Bewley's Anchor Egg Mash to produce a given number of eggs than other egg mashes—that over a definite period the total amount of mash consumed will be cut down materially, and still production will be increased.

Cattle and Sheep Chunkets

For better results in the feed lot and on the range buy Red Anchor Cattle and Sheep Chunkets.

Bewley's Red Anchor All Mash Turkey Starter

It contains a high milk content and a special mineral balance; increased Vitamins A and D; and is guaranteed to insure more #1 birds for the market.

PAR. 4. Through the use of the statements and representations used in said advertisements, as aforesaid, and others similar thereto not specifically set out herein, respondent has represented and implied:

1. That its products designated Red Anchor Broiler Starter and Broiler Finisher as feed for chicks raised for broilers give better and more economical results than can be obtained from the use of other feeds; that its said product Red Anchor Broiler Finisher as a feed for chicks 6 to 7 weeks old, theretofore fed its product Red Anchor Broiler Starter, will cause total feed cost to be lower and produce better broilers than will other feeds; that its product Red Anchor Starter Feed is perfectly balanced and contains every food element essential to insure a healthy start in life for baby chicks.

2. That the use of its products designated Red Anchor Feeds will result in the highest production at the lowest cost for poultry; that said feeds are perfectly balanced, thoroughly tested under actual

purchasers thereof located in various other States of the United States and in the District of Columbia.

Respondent at all times mentioned herein has maintained a course of trade in said poultry and stock feeds in commerce among and between the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of its aforesaid business the respondent has disseminated and is now disseminating, and has caused and is now causing the dissemination of, various advertisements concerning its products, hereinafter named, by the United States mail and by various other means in commerce, as commerce is defined in the Federal Trade Commission Act; and respondent has also disseminated and is now disseminating, and has caused and is now causing the dissemination of, various advertisements concerning said products by various means for the purpose of inducing, and which are likely to induce, directly or indirectly, the purchase of its said products in commerce, as commerce is defined in the Federal Trade Commission Act. Among and typical of the various misleading and deceptive statements and representations, relating to the specific product hereinafter indicated, contained in said various advertisements disseminated and caused to be disseminated as hereinabove set forth, by the United States mail, by advertisements in newspapers and periodicals, by radio continuities and by circulars, leaflets, pamphlets, and other advertising literature, are the following:

Red Anchor Broiler Starter and Broiler Finisher

This high quality growing feed is a favorite among many poultrymen in the Southwest who look ahead for future poultry profits. If you raise your chicks for broilers, try Red Anchor Broiler Starter and Broiler Finisher and see if you don't get better and more economical results.

Chicks may be held on Red Anchor Broiler Starter until ready for market with outstanding results. We recommend, however, that at the age of 6 and 7 weeks, chicks be changed to Red Anchor Broiler Finisher. This method of feeding lowers total feed cost and insures a better finished broiler.

Perfectly balanced and thoroughly tested under actual feeding conditions, Red Anchor Starting Feeds give the baby chicks everything they need to insure a healthy start in life; * * *

Bewley's Anchor Feeds

Bewley's Anchor Feeds Maximum Production at Minimum Cost.

Red Anchor Feeds are perfectly balanced and thoroughly tested under actual feeding conditions to insure better results for you regardless of your feeding need.

Haphazard feeding may produce eggs over a short period; but to get maximum production for least cost over a long period the Bewley's Anchor Feed route is the sure way.

Red Anchor Chick Starter

Anchor Chick Starter contains dried milk, cod liver oil, potassium iodine, manganese sulphate, insures lower mortality, more rapid growth, sturdier chicks.

Red Anchor Egg Mash

In addition to this quality Breeder Mash these birds should be fed a well balanced scratch feed, such as Red Anchor Hen Scratch. We believe that Red Anchor Egg Mash for Breeders contains every essential food element for maximum feeding results in producing hatching eggs of highest quality when fed in combination with Red Anchor Hen Scratch.

This quality feed contains increased proportions of certain feed ingredients, as compared to feeds we recommend for commercial egg production, that will increase hatchability, increase the vigor and vitality of the producer, and insure stronger chicks.

This quality mash feed contains both the scratch and mash ingredients, and we believe contains all essential food elements for maximum production.

We suggest that baby chicks be secured from breeding flocks that have been fed Red Anchor Egg Mash for Breeders, as we believe this quality feed will insure stronger chicks.

Red Anchor Egg Mash insures more eggs * * * eggs higher in quality; eggs with increased hatchability that will produce stronger chicks.

Red Anchor Egg Mash—high in Vitamin G content, which increases hatchability, insures stronger chicks and faster growth.

And in addition, numerous tests have proven that it requires less Bewley's Anchor Egg Mash to produce a given number of eggs than other egg mashes—that over a definite period the total amount of mash consumed will be cut down materially, and still production will be increased.

Cattle and Sheep Chunkets

For better results in the feed lot and on the range buy Red Anchor Cattle and Sheep Chunkets.

Bewley's Red Anchor All Mash Turkey Starter

It contains a high milk content and a special mineral balance; increased Vitamins A and D; and is guaranteed to insure more #1 birds for the market.

PAR. 4. Through the use of the statements and representations used in said advertisements, as aforesaid, and others similar thereto not specifically set out herein, respondent has represented and implied:

1. That its products designated Red Anchor Broiler Starter and Broiler Finisher as feed for chicks raised for broilers give better and more economical results than can be obtained from the use of other feeds; that its said product Red Anchor Broiler Finisher as a feed for chicks 6 to 7 weeks old, theretofore fed its product Red Anchor Broiler Starter, will cause total feed cost to be lower and produce better broilers than will other feeds; that its product Red Anchor Starter Feed is perfectly balanced and contains every food element essential to insure a healthy start in life for baby chicks.

2. That the use of its products designated Red Anchor Feeds will result in the highest production at the lowest cost for poultry; that said feeds are perfectly balanced, thoroughly tested under actual

feeding conditions so as to insure better and more economical results regardless of feeding conditions; and that they will give maximum production for the least cost over a long period of time.

3. That its product Red Anchor Chick Starter, containing vitamin D elements, insures lower mortality, more rapid growth, sturdier and stronger chicks than that obtained through the use of other starter feeds.

4. That its product Red Anchor Egg Mash feed, in combination with its product Red Anchor Hen Scratch, contains every essential food element, gives the highest feeding results, and produces eggs of the highest quality; that it contains a greater proportion of certain essential feed ingredients than do other commercial feeds sold for egg production; that it increases hatchability of eggs, the vigor and vitality of laying hens, and insures stronger chicks; that it contains all the essential food elements for greater production and is higher in vitamin G content than are competitive products; that numerous tests disclose that it takes less of said product to produce a given number of eggs than it takes of other feeds; and that the amount of such product used may be reduced and still produce more eggs than would be produced by other egg mash feeds.

5. That better cattle and sheep are produced by feeding its product Red Anchor Cattle and Sheep Chunkets than are produced by feeding other products.

6. That its product All Mash Turkey Starter contains a special mineral balance and a greater quantity of vitamins A and D than do other mashes, and that it will produce more No. 1 turkeys than will be produced through the use of other turkey mashes.

PAR. 5. The foregoing statements and representations contained in said advertisements aforesaid are grossly exaggerated and misleading. In truth and in fact, better and more economical results are not obtained through the use of respondent's products Red Anchor Broiler Starter and Red Anchor Broiler Finisher than are obtained through feeding chicks other similar feed products. The use of its product Red Anchor Broiler Finisher as a feed for chicks which have been fed its product Red Anchor Broiler Starter will not lower feed costs and will not produce better broilers than will be produced through the use of other similar feed products. Respondent's Starter Feed products are not perfectly balanced and have not been thoroughly tested under all actual feeding conditions, and they do not give baby chicks everything needed to insure a healthy start in life.

The use of respondents' products will not result in the highest production at the lowest cost for poultry; they are not perfectly balanced feeds for general use under all and any conditions, as there are many

elements besides feed that are important in raising and handling poultry, such as location, air, water, soil, runs, housing, sunshine, cleanliness, and regularity in care and feeding, all of which contribute to the quality of poultry and eggs. The growth and production of flocks and maximum results cannot be "insured" or "guaranteed" through the use of respondent's said products. To compound and prepare a balanced feed for poultry, flock deficiencies must be known and the feed prepared to supply such deficiencies as exist in a particular flock. The deficiencies in a particular flock may vary materially from other flocks and require a different balance or different quantities of the essential ingredients. Said feed products have not been thoroughly tested scientifically under actual feeding conditions by any system of tests meeting the requirements of State or Federal officials or by experienced and competent poultrymen.

The use of respondent's product Red Anchor Chick Starter will not result in a lower mortality rate, a more rapid growth, or sturdier or stronger chicks than will result from the feeding of other commercial poultry feeds.

Respondent's product Red Anchor Egg Mash Feed, used in combination with respondent's product Red Anchor Hen Scratch, does not contain every essential food element necessary to produce the highest feeding results, and it does not produce eggs of the highest quality. It does not contain a greater proportion of certain essential food ingredients than do other commercial feeds sold for egg production. It will not increase the hatchability of eggs, the vigor and vitality of laying hens, or insure or produce stronger chicks. It does not contain all of the scratch and mash ingredients and essential food elements necessary to cause the highest egg production possible. Its use does not result in a higher egg production than that obtained through the use of other commercial poultry feeds. It does not take less of said product to produce a given number of eggs than it does of other commercial feeds.

Growing chicks do not need the extra vitamins and other extra ingredients purportedly found in respondent's product Red Anchor Growing Mash unless such chicks have been and are receiving food that is deficient in the vitamins and other extra ingredients purportedly found in respondent's said product.

Better cattle and sheep will not be produced through using respondent's product Red Anchor Cattle and Sheep Chunkets than will be produced by feeding other commercial feeds.

Respondent's Red Anchor All Mash Turkey Starter will not produce more No. 1 turkeys than will be produced through feeding other commercial turkey feeds.