

CHARGE: 402 (a) (2)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, a mercurial compound, which is unsafe within the meaning of 408 (a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on wheat had been prescribed by regulations.

DISPOSITION: 2-26-57. Consent—claimed by Great Plains Supply Co., St. Paul, Minn. Reconditioned; 12,420 lbs. destroyed.

DAIRY PRODUCTS

BUTTER

23771. Butter. (F. D. C. No. 39788. S. No. 41-207 M.)

QUANTITY: 412 64-lb. ctns. at Aberdeen, S. Dak.

SHIPPED: 10-24-56, from Lima, Ohio. This was a return shipment.

LABEL IN PART: (Ctn.) "Butter Equity Union Crys. 301 Distributors" or "Butter Equity Cry."

LIBELED: 11-30-56, Dist. S. Dak.

CHARGE: 402 (a) (3)—contained decomposed butter while in interstate commerce.

DISPOSITION: 12-13-56. Consent—claimed by Equity Union Creameries, Inc., Aberdeen, S. Dak. Segregated; 13,456 lbs. destroyed.

CHEESE

23772. Chive cottage cheese. (F. D. C. No. 39337. S. No. 41-622 M.)

INFORMATION FILED: 11-8-56, N. Dist. N. Y., against Sunny Brook Creamery, Inc., Union Springs, N. Y., and James M. Gregory, plant manager.

SHIPPED: 4-16-56, from New York to Massachusetts.

LABEL IN PART: (Cup) "Sunny Brook Chive Pasteurized 12 oz. Cottage Cheese Manufactured and Distributed by Sunny Brook Creamery, Inc. * * * Union Springs, N. Y."

CHARGE: 402 (a) (3)—filth-contaminated milk was used in the preparation of the article; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 1-16-57. Corporation—\$500 fine; individual—\$200 fine.

23773. Process cheese spread. (F. D. C. No. 39784. S. No. 33-453 M.)

QUANTITY: 59 cases, 12 2-lb. packages each, at Omaha, Nebr.

SHIPPED: 2-13-56, from Shelbyville, Ill.

LIBELED: 11-30-56, Dist. Nebr.

CHARGE: 402 (a) (3)—contained moldy cheese spread while held for sale.

DISPOSITION: 1-3-57. Default—consumption by animals.

MILK

23774. Condensed skim milk. (F. D. C. No. 39991. S. No. 47-596 M.)

INFORMATION FILED: 3-27-57, N. Dist. N. Y., against Borden Co., a corporation, Gouverneur, N. Y., and Albert E. Boughner, plant manager.

SHIPPED: 6-11-56, from New York to New Jersey.

CHARGE: 402 (a) (3)—contained insect fragments, rodent hair fragments, and manure fragments, and filth-contaminated milk was used in the preparation of the article.

PLEA: Guilty.

DISPOSITION: 5-6-57. Corporation fined \$700 and individual \$50.

EGGS

23775. Frozen eggs. (F. D. C. No. 38613. S. No. 30-058 M.)

INFORMATION FILED: 8-6-56, M. Dist. Tenn., against Albert Mann, t/a National Egg Co., Nashville, Tenn.

SHIPPED: 6-18-55, from Tennessee to New York.

LABEL IN PART: (Can) "30 Lbs. Net Frozen Whole Eggs Distributed by Glasgow Food Corp. New York, N. Y."

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

PLEA: Guilty.

DISPOSITION: 3-8-57. \$250 fine.

23776. Frozen eggs. (F. D. C. No. 39900. S. No. 42-042 M.)

QUANTITY: 400 30-lb. cans at Rochester, N. Y.

SHIPPED: 12-4-56, from Chicago, Ill., by Armour & Co.

LABEL IN PART: "Frozen Whole Eggs * * * Armour Cloverbloom."

LIBELED: 12-21-56, W. Dist. N. Y.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 2-28-57. Consent—claimed by Armour & Co. Segregated; 69 30-lb. cans destroyed.

23777. Frozen eggs. (F. D. C. No. 39739. S. No. 66-880 M.)

QUANTITY: 250 30-lb. cans at Washington, D. C.

SHIPPED: 12-18-56, from Baltimore, Md., by Supreme Products Co.

LABEL IN PART: "Supreme Products Frozen Eggs."

LIBELED: 12-27-56, Dist. of Columbia.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 2-7-57. Consent—claimed by Supreme Products Co. Segregated; 25 cans disposed of for use as animal feed.

23778. Egg yolk solids. (F. D. C. No. 39881. S. Nos. 50-149/50 M.)

QUANTITY: 4 120-lb. drums at Hartford, Conn.

SHIPPED: 1-2-57, from Arlington, Mass., by National Products, Inc.

LABEL IN PART: "Baker's Pride Brand Egg Yolk Solids."

LIBELED: 3-7-57, Dist. Conn.

CHARGE: 402 (b) (2)—a mixture of egg yolk solids and other ingredients had been substituted for egg yolk solids when shipped; 403 (a)—the label statement "Egg Yolk Solids" was false and misleading as applied to a product which contained also other ingredients; and 403 (g) (1)—the article failed to conform to the definition and standard of identity for dried egg yolks since the article contained less than 95 percent of total egg solids, together with other ingredients.