

DISPOSITION: On 4-23-59, the defendant having been given notice of a hearing and having failed to appear, the court entered a preliminary injunction against the defendant. On 6-10-59, the defendant having failed to answer and being in default, the court entered a decree of permanent injunction against the defendant, enjoining him from directly or indirectly causing to be introduced and delivered for introduction into interstate commerce:

(a) incubator reject eggs, unless and until such eggs are completely denatured so as to preclude their use in human food products;

(b) any of the stocks of incubator reject eggs on hand at the defendant's Mount Airy, Ga., plant or any incubator reject eggs elsewhere unless and until such eggs were completely denatured so as to preclude their use in human food products under the supervision of the Food and Drug Administration; and

(c) in the event the defendant should break out of the shell incubator reject eggs at the Mount Airy plant, or elsewhere, then the contents of such eggs prior to interstate movement should be completely denatured so as to preclude their use in human food products.

26047. Frozen eggs. (F.D.C. No. 42553. S. Nos. 32-195 P, 32-715/16 P.)

QUANTITY: 1,033 30-lb. cans at Brooklyn, N.Y.

SHIPPED: 8-23-58, from Nashville, Tenn., by Modern Egg Products, Inc.

LABEL IN PART: (Can) "Frozen Whole Eggs Packed for L. Rudolph & Co. * * * 232 * * * 2" or "Frozen Whole Eggs, 30 Lbs. Net Weight, Modern Egg Products, Nashville, Tenn. 226 Whole Eggs."

LIBELED: 12-15-58, E. Dist. N.Y.

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

DISPOSITION: 6-8-59. Default—destruction.

26048. Frozen egg product. (F.D.C. No. 42269. S. No. 31-652 P.)

QUANTITY: 845 cans at Brooklyn, N.Y.

SHIPPED: 7-7-58, from Nashville, Tenn., by Modern Egg Co.

LABEL IN PART: "Vitabake 30 Lbs. Net Weight * * * Whole Eggs, Egg Yolks, Sugar & Salt."

LIBELED: 11-6-58, E. Dist. N.Y.

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

DISPOSITION: 6-8-59. Default—destruction.

26049. Frozen eggs. (F.D.C. No. 43103. S. Nos. 9-023 P, 9-273 P.)

INFORMATION FILED: 10-13-59, N. Dist. Ohio, against the Wooster Cooperative Poultry Association, a corporation, Wooster and Millersburg, Ohio.

SHIPPED: Between 1-10-58 and 7-21-58, from Ohio to Pennsylvania.

LABEL IN PART: (Can) "Frozen Whole Eggs 30 Lbs. Net Wt. * * * Packed By Wooster Coop. Plty. Ass'n. 14 Wooster, Ohio."

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

PLEA: Guilty.

DISPOSITION: 10-30-59. \$300 fine.

26050. Frozen eggs. (F.D.C. No. 43049. S. Nos. 9-666/7 P, 9-743 P, 9-752 P.)

INFORMATION FILED: 9-25-59, N. Dist. Ohio, against Anthony A. Bush, t/a Ash-tabula Poultry Co., Ashtabula, Ohio.