

CHARGE: 403(a)—when shipped, the label statement "Made from pasteurized milk" was false and misleading; and 403(g) (1)—the article failed to conform to the definition and standard of identity for cheddar cheese.

DISPOSITION: 4-14-60. Consent—claimed by Marathon Cheese Co., Inc., and relabeled.

EGGS

26419. Frozen eggs. (F.D.C. No. 44425. S. No. 32-521 R.)

QUANTITY: 25 30-lb. cans at Brooklyn, N.Y.

SHIPPED: The article was shipped in the form of shell eggs from Clinton, N.J., between 12-29-59 and 1-7-60.

LIBELED: 4-14-60, E. Dist. N.Y.

CHARGE: 402(a) (3)—contained decomposed eggs while held for sale.

DISPOSITION: 5-11-60. Default—destruction.

26420. Frozen eggs. (F.D.C. No. 43217. S. No. 32-201 P.)

INFORMATION FILED: 9-18-59, S. Dist. Fla., against Dexter Bishop Co., Inc., t/a Arthur Redmond Co., Miami, Fla., and Arthur Redmond, plant manager.

SHIPPED: 9-27-58, from Florida to New York.

LABEL IN PART: (Can) "30 Lbs. Net K I R T E X Whole Eggs, Yolks, Stabilizing Syrup Maltose, Dextrine Dextrose and Water * * * ARTHUR REDMOND COMPANY Div of Dexter Bishop Co. Inc. New York, N.Y."

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

DISPOSITION: A motion for a Bill of Particulars was filed by the defendants and was in part allowed by the court. Thereafter, the defendants entered pleas of guilty and on 3-14-60, the court fined the corporation \$1,000 and the individual \$500.

26421. Incubator reject eggs. (F.D.C. No. 44368. S. No. 20-404 R.)

QUANTITY: 1 truckload in transit near Middlebury, Ind.

SHIPPED: On or about 3-7-60, from Zeeland, Mich., by Elmer Vanderkolk.

LIBELED: 3-7-60, N. Dist. Ind.

CHARGE: 402(a) (3)—contained decomposed eggs and was otherwise unfit for food when shipped.

DISPOSITION: 4-20-60. Default—destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

26422. Jellied cranberry sauce. (F.D.C. No. 44019. S. Nos. 72-263 P, 72-268 P.)

QUANTITY: 20 cases, 24 1-lb. cans each, at Greensboro, N.C.

SHIPPED: 10-15-59, from Bridgeton, N.J., by Morris April Bros.

LABEL IN PART: (Case) "April Orchards Cranberry Sauce [or "Strained Cranberry Sauce"] Packed by Morris April Brothers, Bridgeton, New Jersey."

LIBELED: 1-5-60, M. Dist. N.C.

CHARGE: 402(a) (2)—when shipped, the article contained an added poisonous and deleterious substance, namely, aminotriazole, which is unsafe within the meaning of 406 since this substance is not required in the production of this food and can be avoided by good manufacturing practice.

DISPOSITION: 1-29-60. Default—destruction.