

RESULTS OF INVESTIGATION: Analysis showed the article to be deficient in fat and below the legal standard for milk fat.

LIBELED: 6-16-60, S. Dist. N.Y.

CHARGE: 402(b)(2)—while held for sale, the article was below the legal standard for milk fat.

DISPOSITION: 7-1-60. Consent—claimed by Kesley Cooperative Creamery, Kesley, Iowa, and reworked.

26681. Butter. (F.D.C. No. 43733. S. No. 26-077 R.)

QUANTITY: 32 64-lb. boxes at Los Angeles, Calif.

SHIPPED: 6-4-60, from Cabool, Mo., by Producers Creamery Co.

LABEL IN PART: "SWEET CREAM BUTTER * * * Producers Creamery Co., Cabool, Missouri."

LIBELED: 6-17-60, S. Dist. Calif.

CHARGE: 402(b)(1)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 7-8-60. Consent—claimed by Wilsey-Bennett Co., Los Angeles, Calif., and brought into compliance with the law.

MILK

26682. Evaporated milk. (F.D.C. No. 44588. S. No. 25-419 R.)

QUANTITY: 498 cases, 48 14½-oz. cans each, at Phoenix, Ariz.

SHIPPED: 2-3-60 and 3-11-60, from Hanford, Calif., by Safeway Stores, Inc., Milk Department.

LABEL IN PART: (Can) "Cherub Evaporated Milk * * * Distributed by Safeway Stores, Inc., Oakland, Calif."

RESULTS OF INVESTIGATION: Examination showed that the article contained added poisonous and deleterious substances, namely, DDT, DDD, and TDE.

LIBELED: 5-24-60, Dist. Ariz.

CHARGE: 402(a)(2)—when shipped, the article contained added poisonous and deleterious substances, namely, DDT, DDD, and TDE, which are unsafe within the meaning of 406 since these are substances not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: 7-25-60. Default—destruction.

EGGS

26683. Frozen eggs (2 seizure actions). (F.D.C. Nos. 43557, 43945. S. Nos. 63-973/6 P. 64-344 P.)

QUANTITY: 4,099 30-lb. cans and 1,175 30-lb. cans at Boston and Cambridge, Mass.

SHIPPED: The article was shipped in the form of shell eggs between the approximate dates of 4-10-59 and 10-9-59, from various interstate and intrastate sources in the States of Maine, Massachusetts, New Hampshire, and Rhode Island.

RESULTS OF INVESTIGATION: Upon receipt of the shell eggs which had been shipped as described above, the Fleishman Egg Co., Boston, Mass., packed such eggs in the form of frozen eggs.

LIBELED: 9-25-59 and 12-4-59, Dist. Mass.

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

DISPOSITION: 3-25-60. Saul F. Fleishman, t/a Fleishman Egg Co., claimant, having consented to the entry of a decree and filed a motion for consolidation of the two seizure actions, which motion was granted, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law. The product was segregated; 1,484 cans were found unfit and denatured.

26684. Frozen eggs. (F.D.C. No. 44481. S. No. 41-766 R.)

QUANTITY: 80 30-lb. cans at Reno, Nev.

SHIPPED: 5-6-60, from Sacramento, Calif., by Poultry Producers of Central California.

LABEL IN PART: "Frozen Whole Eggs Packed By Poultry Producers Of Central California Sacramento."

LIBELED: 6-2-60, Dist. Nev.

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

DISPOSITION: 8-4-60. Consent—claimed by Farmers Exchange Co., Reno, Nev. Segregated; 17 30-lb. cans destroyed.

26685. Frozen eggs. (F.D.C. No. 44484. S. No. 41-767 R.)

QUANTITY: 49 10-lb. cans at Reno, Nev.

SHIPPED: 6-15-59, from San Francisco, Calif.

LIBELED: 6-7-60, Dist. Nev.

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

DISPOSITION: 8-8-60. Consent—destruction.

26686. Incubator reject eggs. (F.D.C. No. 42169. S. No. 27-900 P.)

INFORMATION FILED: 7-15-59, E. Dist. Tex., against Technical Egg Products, Inc., Nashville, Tenn., Seymour M. Levin, president and general manager of the corporation, and John L. Deason, an employee.

SHIPPED: 4-18-58, from Texas to Louisiana.

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

DISPOSITION: Pursuant to the request of the defendants, the case against Technical Egg Products, Inc., and Seymour Levin was transferred to the Northern District of Georgia, and the case against John Deason was transferred to the Middle District of Tennessee. Thereafter, the defendants entered pleas of guilty. On 1-28-60, the United States District Court for the Northern District of Georgia fined the corporation \$250 and Seymour Levin \$500. On 3-16-60, the United States District Court for the Middle District of Tennessee placed John Deason on probation for 2 years.

FEEDS AND GRAINS

26687. Cottonseed meal. (F.D.C. No. 44135. S. No. 177 R.)

QUANTITY: 60 100-lb. bags at Topeka, Kans.

SHIPPED: 12-30-59, from Memphis, Tenn., by Goldenrod Oil Meal Sales Co.