

CHARGE: 402(c)—when shipped, the article contained a color additive, FD&C Red No. 1, which was unsafe within the meaning of 706(a) as amended, since the provisional listing of such color additive in the color additive regulations had been terminated pursuant to Section 8.502(c) and the certificate for such color additive had been cancelled pursuant to Section 8.510(b) of such regulations.

DISPOSITION: 12-13-61. Consent—claimed by Plastic Block City, Inc., and the strawberry frosting mix destroyed.

28338. Cake mix sets (toy). (F.D.C. No. 46403. S. Nos. 80-576/7 R.)

QUANTITY: 24 12-unit cases at Boston, Mass.

SHIPPED: 5-18-61, from Chicago, Ill., by Plastic Block City, Inc.

LABEL IN PART: (Pkg.) "Kay Stanley's Cake Mix Set A Complete Baking set for Junior Cooks * * * with Real Food * * * an educational toy for baking miniature cakes. This set contains assorted Kay Stanley Cake Mixes, enough for 6 cakes, 6 packets frosting, 1 packet cake decoration * * * Manufactured by Plastic Block City, Inc. 1017 W. Washington Blvd., Chicago 7, Ill."

RESULTS OF INVESTIGATION: Examination revealed that the package of strawberry frosting mix in each baking set contained FD&C Red No. 1.

LABELED: 12-14-61, Dist. Mass.

CHARGE: 402(c)—when shipped, the article contained a color additive, namely, FD&C Red No. 1, which was unsafe within the meaning of 706(a) as amended, since the provisional listing of such additive had been terminated and the certificate for such color additive had been cancelled.

DISPOSITION: 12-14-61. Consent—claimed by Plastic Block City, Inc., and reconditioned by the removal and destruction of the packages of strawberry frosting mix.

28339. Donut mix. (F.D.C. No. 46717. S. Nos. 93-419 R, 38-404 T, 45-281 T, 45-410 T.)

INFORMATION FILED: 4-17-62, E. Dist. Ark., against Alamo Foods, Inc., Little Rock, Ark., and Milton B. Lambert, president.

SHIPPED: Between 8-4-61 and 8-8-61, from Arkansas to Louisiana and Oklahoma.

LABEL IN PART: "HOL-'N-ONE DONUT MIX 50 LBS. (10-5's) WHEN PACKED."

CHARGE: 402(a)(3)—contained insects and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-21-62. Corporation—\$250 fine, and probation for 1 year; individual—\$250 fine, and probation for 1 year.

DAIRY PRODUCTS

BUTTER

28340. Butter. (F.D.C. No. 45654. S. No. 53-150 R.)

INFORMATION FILED: 7-28-61, Dist. Minn., against Detroit Cooperative Dairy Association, Detroit Lakes, Minn., and Paul E. Ross, manager.

ALLEGED VIOLATIONS: On 1-9-61, the defendants gave to a firm engaged in the business of shipping butter in interstate commerce, a manifest containing a guaranty that the butter listed on the manifest was not adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act. On 1-9-61, the defendants caused a number of boxes of food which were labeled "Bulk Butter" and which was adulterated, to be delivered to the holder of the guaranty.

CHARGE: 402(b) (1)—a valuable constituent of the food, namely, milk fat, had been in part omitted; and 402(b) (2)—a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

PLEA: Guilty.

DISPOSITION: 10-8-62. Association—\$100 fine; individual—\$200 fine.

CHEESE

28341. Danish blue cheese. (F.D.C. No. 47589. S. Nos. 44-401 T, 44-404 T.)

QUANTITY: 52 boxes, 12 pkgs. each, and 5 cases, 24 boxes, 12 pkgs. each, at Philadelphia, Pa.

SHIPPED: (52 boxes) 3-27-62 and (5 cases) 4-25-62, from New York, N.Y., by William Faehndrich, Inc.

LABEL IN PART: (Foil wrapper) "Famous Brand Imported Danish Blue Cheese Net Wt. $\frac{3}{4}$ Oz. * * * Packed by William Faehndrich, Inc., New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed the article to be short weight.

LIBELED: 5-10-62, E. Dist. Pa.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 6-20-62. Default—destruction.

28342. Feta cheese. (F.D.C. No. 47604. S. No. 61-881 T.)

QUANTITY: 27 110-lb. bbls. at Boston, Mass.

SHIPPED: 6-9-61, from Sassari and Thiesi, Italy.

LIBELED: 5-16-62, Dist. Mass.

CHARGE: 402(a) (3)—while held for sale, the article contained decomposed cheese.

DISPOSITION: 7-16-62. Default—destruction.

28343. Roquefort cheese. (F.D.C. No. 47605. S. No. 69-408 T.)

QUANTITY: 67 boxes, 24 individually wrapped wedges each, at Washington, D.C.

SHIPPED: 4-9-62, from New York, N.Y., by William Faehndrich, Inc.

LABEL IN PART: (Wedges) "Famous Brand Roquefort Cheese Made in France Net Weight $\frac{3}{4}$ Oz. * * * William Faehndrich, Inc. Packers, New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed the article to be short weight.

LIBELED: 5-15-62, Dist. Columbia.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 6-13-62. Default—destruction.