

EGGS
 28643. Frozen eggs. (F.D.C. No. 47718. S. Nos. 16-872/76 T, 16-886 T, 16-888 T, 16-891 T.)

QUANTITY: 167 30-lb. cans, at Louisville, Ky.

SHIPPED: Between 8-31-61 and 11-21-61, from Ramsey, Ind., by Martin's Hatchery, Inc.

RESULTS OF INVESTIGATION: The article was packed in secondhand cans, and was shipped frozen or unfrozen.

LIBELED: 7-11-62, W. Dist. Ky.

CHARGE: 402(a) (3)—when shipped, the article contained decomposed eggs; 403(a)—its label bearing the United States Department of Agriculture inspection shield was false and misleading as applied to a product which was not produced under continuous inspection service of the United States Department of Agriculture; and 403(e) (1)—its label failed to bear the name and address of the manufacturer, packer, or distributor.

DISPOSITION: 10-3-62. Consent—claimed by Martin's Hatchery, Inc. Segregated; 49 cans denatured, the remainder relabeled.

28644. Frozen eggs. (F.D.C. No. 44773. S. No. 14-847 R.)

QUANTITY: 100 30-lb. cans at Columbus, Ohio.

SHIPPED: 7-25-60, from Farina, Ill., by Brown Produce Co.

LABEL IN PART: (Can) "Whole Eggs Dist. by Ballas Egg Prod. Co. Inc., Zanesville, Ohio."

LIBELED: 8-12-60, S. Dist. Ohio; amended libel 8-23-60.

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

DISPOSITION: 11-8-62. Consent—destruction.

28645. Frozen eggs. (F.D.C. No. 46393. S. Nos. 2-315/16 R.)

INFORMATION FILED: 6-13-62, M. Dist. Ga., against Dixie Egg Co. of Georgia, a corporation, Donalsonville, Ga., and Meyer Klempf, general manager.

SHIPPED: 8-30-60, from Donalsonville, Ga., to Jacksonville, Fla.

LABEL IN PART: (Can) "WHOLE EGGS Net Wt. 30# Packed by Dixie Egg Co. Donalsonville, Ga." or "WHOLE EGGS 30# Net Wt."

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

PLEA: Guilty.

DISPOSITION: 11-19-62. Corporation—\$500 fine; individual—\$250 fine.

FEEDS AND GRAINS

28646. Cottonseed meal. (F.D.C. No. 47870. S. No. 61-628 R.)

INFORMATION FILED: 11-8-62, N. Dist. Tex., against Mid West Cooperative Oil Mill, a corporation, Hamlin, Tex.

SHIPPED: 1-8-62, from Hamlin, Tex., to Lawton, Okla.

LABEL IN PART: (Bag) "100 Pounds (Net) 41% Protein Cottonseed Meal Prime Quality Manufactured By Mid West Cooperative Oil Mill, Hamlin, Texas Guaranteed Analysis Crude Protein not less than—41.00 percent."

CHARGE: 403(a)—the name "41% Protein Cottonseed Meal" and the label statement "Crude Protein not less than . . . 41.00 percent," displayed upon the label of the article were false and misleading, since the article contained less than 41 percent protein.

PLEA: Guilty.

DISPOSITION: 11-8-62. \$100 fine.

28647. Dehydrated alfalfa meal. (F.D.C. No. 48247. S. Nos. 7-025 T, 6-822 V.)

QUANTITY: 335 50-lb. bags at Taunton, Mass.

SHIPPED: 6-7-62, from Mark Center, Ohio, by Miller Feed Co.

LABEL IN PART: (Tag) "Dehydrated Alfalfa Meal * * * Made from Dehydrated Alfalfa hay Manufactured By Miller Alfalfa Company, Defiance, Ohio Guaranteed Analysis Crude Protein, not less than 20.0 per cent * * * Crude Fibre, Not more than 22.0 per cent."

RESULTS OF INVESTIGATION: Examination showed that the article contained less than the declared amount of crude protein and more than the declared amount of crude fiber.

LIBELED: 10-24-62, Dist. Mass.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, namely crude protein had been in whole or in part omitted or abstracted from the article; 402(b)(2)—crude fiber had been substituted in part for crude protein; and 403(a)—the label statements "Crude Protein, not less than 20.0 per cent" and "Crude Fibre, not more than 22.0 per cent" were false and misleading.

DISPOSITION: 11-21-62. Consent—claimed by Lockwood Nutrition Service, Inc., Boston, Mass., and relabeled.

FISH AND SHELLFISH*

28648. Frozen perch filets. (F.D.C. No. 47668. S. No. 8-376 T.)

QUANTITY: 38 cases, each containing 5 10-lb. ctns., each containing 10 pkgs. of fish filets, at Gloucester, Mass.

SHIPPED: The article was from fish caught by the fishing vessel "Wild Duck" in waters of the Atlantic Ocean outside of the territorial limits of Massachusetts.

LIBELED: 6-14-62, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped.

DISPOSITION: 7-20-62. Consent—claimed by the New England Fillet Co., Inc., Boston, Mass.; unfit portions segregated and destroyed.

28649. Frozen perch filets. (F.D.C. No. 48081. S. No. 77-853 T.)

QUANTITY: 59 50-lb. ctns., each containing 5 10-lb. ctns., at Boston, Mass.

SHIPPED: These filets were from fish caught by the fishing vessels "Ethelina" and "Magellan" in the waters of the Atlantic Ocean outside the territorial limits of Massachusetts, and landed at Boston, Mass., on 8-9-62.

LIBELED: 9-4-62, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped.

DISPOSITION: 12-18-62. Consent—claimed by John Mantia & Sons Co., Inc., Boston, Mass., and reconditioned.

*See also No. 28605.