

DISPOSITION: November 13, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$50, plus costs.

16975. Misbranding of eggs. U. S. v. 25 Cases * * *. (F. D. C. No. 29372. Sample No. 3383-K.)

LIBEL FILED: June 23, 1950, District of Columbia.

ALLEGED VIOLATION: Misbranding of eggs in interstate commerce in the District of Columbia.

PRODUCT: 25 cases, each containing 24 1-dozen cartons, of eggs at Washington, D. C., in the possession of Grande Valley Products, Inc.

LABEL, IN PART: "Eggs Graded & Dated Grade A Large."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Grade A" was false and misleading since 46.3 percent of the eggs were below Grade A.

DISPOSITION: July 6, 1950. Grande Valley Products, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond, to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The eggs were regraded, resulting in 383½ dozen Grade B eggs, 188 dozen Grade C eggs, and 23% dozen check eggs. The remainder of the eggs were broken and rotten and were destroyed.

FEEDS AND GRAINS

16976. Adulteration of soybean oil meal, soybeans, and stock salt. U. S. v. 346 Bags, etc. (F. D. C. Nos. 29668, 29671. Sample Nos. 71037-K, 86134-K, 86135-K.)

LIBEL FILED: August 4, 1950, District of Arizona.

ALLEGED SHIPMENT: September 29, 1948, and January 19 and June 9, 1949, from Decatur, Ill., Denver, Colo., and San Francisco, Calif.

PRODUCT: 346 100-pound sacks of soybean oil meal, 26 100-pound sacks of soybeans, and 379 100-pound sacks of stock salt in the possession of the Showa Shoyu Brewing Corp., Glendale, Ariz.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects, rodent excreta, and rodent urine; and, Section 402 (a) (4), the products had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 20, 1950. Norman T. Miles, temporary receiver for the Showa Shoyu Brewing Corp., bankrupt, having filed claim to the products, judgment of condemnation was entered and the court ordered that the products be released under bond for the purpose of converting them into animal feed or other nonhuman use, under the supervision of the Food and Drug Administration.

16977. Adulteration and misbranding of pulverized white oats. U. S. v. 600 Sacks * * *. (F. D. C. No. 29845. Sample No. 79406-K.)

LIBEL FILED: October 23, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 12, 1950, by Wisconsin Milling Co., Inc., from Menomonie, Wis.

PRODUCT: 600 100-pound sacks of pulverized white oats at Taunton, Mass.

LABEL, IN PART: (Sack) "Standard Pulverized White Oats Analysis * * * Fibre 13.00%."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of pulverized oats with substantial quantities of ground weed seeds, dirt, and chaff had been substituted in part for pulverized oats.

Misbranding, Section 403 (a), the label statements "Pulverized White Oats * * * Fibre 13.00%" were false and misleading as applied to a product which consisted of a mixture of pulverized oats with substantial quantities of ground weed seeds, dirt, and chaff, and which contained 16 percent fiber.

DISPOSITION: January 12, 1951. Wisconsin Milling Co., Inc., Menomonie, Wis., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

FISH AND SHELLFISH

16978. Adulteration of frozen whiting. U. S. v. 45 Cases * * *. (F. D. C. No. 29916. Sample No. 43363-K.)

LABEL FILED: October 9, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 25, 1950, by Seafood Packers, Inc., from Provincetown, Mass.

PRODUCT: 45 10-pound cases of frozen whiting at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance by reason of the presence of putrid fish.

DISPOSITION: November 8, 1950. Default decree of condemnation and destruction.

16979. Adulteration of fresh oysters. U. S. v. 420 Pints, etc. (F. D. C. No. 30306. Sample Nos. 47299-K, 47300-K.)

LABEL FILED: On or about November 30, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 15, 17, and 18, 1950, by Carol Dryden & Co., Inc., from Crisfield, Md.

PRODUCT: Fresh oysters. 420 pints of standards and 250 pints of selects at Pittsburgh, Pa.

LABEL, IN PART: (Can) "Pride of the Chesapeake Oysters * * * Oysters Standards" and "Silver Sea Oysters * * * Oysters Selects."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: December 1, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

FRUITS AND VEGETABLES

CANNED FRUIT

16980. Misbranding of canned cherries. U. S. v. 838 Cases * * *. (F. D. C. No. 30249. Sample No. 81750-K.)

LABEL FILED: November 13, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 17, 1950, by the Fruit Belt Preserving Co., from East Williamson, N. Y.