

MISCELLANEOUS DAIRY PRODUCT

17767. Adulteration and misbranding of nonfat dry milk solids. U. S. v. Central Farm Products Co., a corporation, and Herman E. Reddy. Pleas of guilty. Corporation fined \$400 and costs; no fine assessed against individual defendant. (F. D. C. No. 31099. Sample Nos. 30754-L, 30755-L, 31553-L, 31554-L.)

INFORMATION FILED: June 14, 1951, Southern District of Iowa, against the Central Farm Products Co., Allerton, Iowa, and Herman E. Reddy, plant manager.

ALLEGED SHIPMENT: On or about October 6 and 7, 1950, from the State of Iowa into the State of Missouri.

LABEL, IN PART: "Roller Process Non-Fat Dry Milk Solids."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product made from neutralized sour skim milk had been substituted for nonfat dry milk solids. Misbranding, Section 403 (a), the label statement "Non-Fat Dry Milk Solids" was false and misleading since the product was not nonfat dry milk solids as defined by Section 321 (c) of the United States Code, but was a product made from neutralized sour skim milk.

DISPOSITION: September 17, 1951. Pleas of guilty having been entered by the defendants, the court fined the corporation \$400 and costs but assessed no fine against the individual defendant.

EGGS

17768. Adulteration of frozen eggs. U. S. v. Fairmont Foods Co. Plea of nolo contendere. Fine of \$250, together with costs. (F. D. C. No. 31106. Sample No. 9652-L.)

INFORMATION FILED: June 28, 1951, District of Nebraska, against the Fairmont Foods Co., a corporation, Omaha, Nebr.

ALLEGED SHIPMENT: On or about January 10, 1951, from the State of Nebraska into the State of Illinois.

LABEL, IN PART: "Fairmont Frozen Fresh Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: July 27, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$250, together with costs.

17769. Adulteration of frozen eggs. U. S. v. 400 Cans * * *. (F. D. C. No. 31217. Sample No. 25468-L.)

LIBEL FILED: June 21, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 5, 1951, by the Orleans Poultry Co., from Owensboro, Ky.

PRODUCT: 400 30-pound cans of frozen eggs at Philadelphia, Pa.

LABEL, IN PART: "Kirby Kuality Frozen Whole Eggs."

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

DISPOSITION: July 19, 1951. The Orleans Poultry Co., Owensboro, Ky., 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, conditioned that the fit portion be segregated from the unfit, under the supervision of the Food and Drug Administration. 220 30-pound cans of eggs were found to be fit for human consumption, and the remaining cans were denatured.

FEEDS AND GRAINS

17770. Adulteration and misbranding of dairy feed. U. S. v. Oliver T. Kittrell (Kittrell Grain & Feed Co.). Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 31117. Sample No. 156-L.)

INFORMATION FILED: July 31, 1951, Middle District of Tennessee, against Oliver T. Kittrell, trading as the Kittrell Grain & Feed Co., Nashville, Tenn.

ALLEGED SHIPMENT: On or about February 6, 1951, from the State of Tennessee into the State of Kentucky.

LABEL, IN PART: "Surety Brand 16% Dairy Feed * * * Guaranteed Analysis Protein, not less than 16.00 Per Cent * * * Fiber, not more than 15.00 Per Cent."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 16 percent of protein and more than 15 percent of crude fiber had been substituted for dairy feed containing not less than 16 percent of protein and not more than 15 percent of crude fiber.

Misbranding, Section 403 (a), the label statements "16% Dairy Feed * * * Guaranteed Analysis Protein, not less than 16.00 Per Cent" and "Fiber, not more than 15.00 Per Cent" were false and misleading.

DISPOSITION: October 18, 1951. A plea of nolo contendere having been entered, the defendant was fined \$1,000.

17771. Misbranding of cottonseed meal and cottonseed pellets. U. S. v. Marianna Sales Co. Plea of guilty. Fine of \$300 and costs. (F. D. C. No. 30611. Sample Nos. 89687-K, 89689-K.)

INFORMATION FILED: September 21, 1951, Eastern District of Illinois, against the Marianna Sales Co., Cairo, Ill.

ALLEGED SHIPMENT: On or about November 15 and 21, 1950, from the State of Illinois into the State of Kansas.

LABEL, IN PART: (1 shipment) "White Mule Brand * * * Cottonseed Meal * * * 100 Lbs. Net." One shipment was unlabeled.

NATURE OF CHARGE: Cottonseed meal. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than the labeled 100 pounds net.

Cottonseed pellets. Misbranding, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the label of the product failed to bear the common or usual name of the food, cottonseed pellets.

DISPOSITION: October 8, 1951. A plea of guilty having been entered, the defendant was fined \$300, together with costs.