

22772. Wheat. (F. D. C. No. 38383. S. No. 21-533 M.)

QUANTITY: 104,640 lbs. in a railroad car at Omaha, Nebr.

SHIPPED: 10-19-55, from Essex, Iowa.

LIBELED: 10-25-55, Dist. Nebr.

CHARGE: 402 (a) (3)—contained rodent excreta while held for sale.

DISPOSITION: 10-26-55. Consent—claimed by Johnson Brothers Mills, Essex, Iowa, and converted to animal feed.

22773. Matzoh meal. (F. D. C. No. 38449. S. No. 36-588 M.)

QUANTITY: 15 25-lb. bags and 10 10-lb. bags at Asbury Park, N. J.

SHIPPED: 8-25-55, from New York, N. Y., by Horowitz Bros. & Margareten.

LIBELED: 9-20-55, Dist. N. J.

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

DISPOSITION: 10-25-55. Default—destruction.

22774. Matzoh meal. (F. D. C. No. 38337. S. No. 9-665 M.)

QUANTITY: 16 25-lb. bags at Los Angeles, Calif.

SHIPPED: 8-23-55, from Long Island City, N. Y. by Horowitz Bros. & Margareten.

LIBELED: 9-29-55, S. Dist. Calif.

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

DISPOSITION: 10-26-55. Default—destruction.

22775. Oatmeal. (F. D. C. No. 38369. S. No. 20-623 M.)

QUANTITY: 13 cases, 12 3-lb. pkgs. each, at Junction City, Kans.

SHIPPED: 1-10-55, from St. Joseph, Mo.

LIBELED: 10-17-55, Dist. Kans.

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

DISPOSITION: 11-29-55. Default—destruction.

22776. Prepared mixes. (F. D. C. No. 38375. S. Nos. 26-552/3 M.)

QUANTITY: 15 25-lb. bags of prepared cake, piecrust, waffle, and pancake mixes and 2 100-lb. bags of doughnut mix at Minneapolis, Minn.

SHIPPED: Between 7-8-54 and 7-1-55, from Baltimore, Md., and Evansville, Ind.

LIBELED: 10-19-55, Dist. Minn.; libel amended 11-4-55.

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

DISPOSITION: 12-19-55. Default—consumption by animals.

EGGS

22777. Frozen eggs. (F. D. C. No. 38364. S. No. 22-020 M.)

QUANTITY: 808 30-lb. cans at Buffalo, N. Y.

SHIPPED: 11-13-54, from Sheboygan, Wis., by Sheboygan Produce Co.

LIBELED: 10-11-55, W. Dist. N. Y.

CHARGE: 402 (a) (3)—contained decomposed eggs when shipped.
DISPOSITION: 11-9-55. Consent—claimed by Sheboygan Produce Co. Segregated, 136 30-lb. cans destroyed.

22778. Frozen eggs. (F. D. C. No. 38463. S. No. 29-876 M.)

QUANTITY: 800 30-lb. cans at Brooklyn, N. Y.

SHIPPED: 9-2-55, from Kansas City, Mo., by Pollman Egg Co.

LIBELED: 9-27-55, E. Dist. N. Y.

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

DISPOSITION: 10-10-55. Consent—claimed by Manhattan Egg Co., New York, N. Y. Segregated, 187 cans denatured.

22779. Frozen eggs. (F. D. C. No. 38457. S. No. 29-358 M.)

QUANTITY: 719 30-lb. cans at Brooklyn, N. Y.

SHIPPED: 9-7-55, from Nashville, Tenn., by National Egg Co.

LIBELED: 9-27-55, E. Dist. N. Y.

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

DISPOSITION: 10-11-55. Consent—claimed by Glasgow Food Corp., New York, N. Y. Segregated, 244 cans denatured.

22780. Frozen eggs. (F. D. C. No. 38263. S. No. 29-842 M.)

QUANTITY: 184 30-lb. cans at Englewood, N. J.

SHIPPED: Between 6-6-55 and 7-14-55, quantities of shell eggs were shipped from New York and Brooklyn, N. Y., Ephrata, Pa., and points in New Jersey, to Englewood, N. J.

RESULTS OF INVESTIGATION: 184 30-lb. cans of frozen eggs were prepared from the above-mentioned shell eggs, of which approximately 74 percent were received from New York and Pennsylvania.

LIBELED: 8-1-55, Dist. N. J.

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

DISPOSITION: 10-10-55. Default—destruction.

FEEDS AND GRAINS

22781. Canned dog food. (F. D. C. No. 31294. S. Nos. 66-960 K, 66-963 K.)

INFORMATION FILED: 9-25-52, E. Dist. N. Y., against Flag Pet Food Corp., Brooklyn, N. Y.

SHIPPED: 9-1-50 and 9-26-50, from New York to Maryland.

LABEL IN PART: (Can) "Guaranteed Analysis Min. crude protein 10.00%
 Min. crude fat 2.00% Flag Pet Food Corp. New York, N. Y."

CHARGE: 402 (b) (1)—valuable constituents, protein and fat, had been in part omitted from the article when shipped; and 403 (a)—the label statements "Min. crude protein 10.00%" and "Min. crude fat 2.00%" were false and misleading.

PLEA: Not guilty.

DISPOSITION: The defendant filed a motion for a bill of particulars, which the court, on 12-8-52, granted in part. Thereafter, the defendant filed a motion to dismiss counts 3 and 4, which was denied by the court on 10-26-53. Thereafter, the defendant changed his plea to guilty; and, on 11-15-55, he was fined \$400.