

Examination showed that all cases were charred and approximately half of them were burned through so as to expose the butter, and that the butter was discolored, had a smoky odor, and contained pieces of the charred paper wrapper.

LIBELED: 1-18-65, N. Dist. Ill.

CHARGE: 402(a) (3)—while held for sale, the article was unfit for food by reason of being discolored, having a smoky odor, and containing pieces of charred paper.

DISPOSITION: 1-25-65. Consent—claimed by Berkshire Foods, Inc., Chicago, Ill. All of the article was found to have a pungent taste and was denatured for use in the manufacture of soap and animal feed.

MISCELLANEOUS DAIRY PRODUCT

29932. Dried whey. (F.D.C. No. 50660. S. No. 5-268 A.)

QUANTITY: 75 100-lb. bags, at Charlotte, N.C., in possession of Curt L. Rogers.

SHIPPED: 3-5-64, from Murfreesboro, Tenn.

LIBELED: 10-9-64, W. Dist. N.C.

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

DISPOSITION: 11-10-64. Default—delivered to a charitable institution for use as animal feed.

EGGS

29933. Frozen eggs. (F.D.C. No. 49669. S. Nos. 52-044/5 X.)

QUANTITY: 1,564 30-lb. cans at Seattle, Wash.

SHIPPED: 8-14-63 and 9-11-63, from Burbank, Calif., by Burbank Refrigerating Co., and from Lindsay, Calif., by Marlow Egg Farm.

LIBELED: 1-13-64, W. Dist. Wash.

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

DISPOSITION: 2-14-64. Consent—claimed by Commercial Creamery Co., Spokane, Wash. Segregated; 203 cans destroyed.

29934. Frozen eggs. (F.D.C. No. 49625. S. No. 41-989 X.)

QUANTITY: 294 30-lb. cans at Brooklyn, N.Y.

SHIPPED: 11-7-63, from New Holland, Pa., by Weavers Quality Eggs, Inc.

LABEL IN PART: (Can) "Weaver's Quality Eggs, Inc. New Holland, Penna. Frozen Whole Eggs."

LIBELED: 12-3-63, E. Dist. N.Y.

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

DISPOSITION: 4-27-64. Consent—claimed by Weaver's Quality Eggs, Inc., Holland, Pa. Segregated; 109 cans denatured.

29935. Frozen eggs. (F.D.C. No. 50155. S. No. 80-529 A.)

QUANTITY: 603 30-lb. cans at Brooklyn, N.Y.

SHIPPED: 4-24-64, from Phoenix, Ariz., by Earl K. Riley Co., Chicago, Ill.

LABEL IN PART: (Can) "Frozen Whole Eggs 30# * * * Phoenix, Arizona."

LIBELED: 6-4-64, E. Dist. N.Y.

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

DISPOSITION: 9-3-64. Consent—claimed by Earl K. Riley Co. Segregated; 63 cans denatured.

29936. Frozen eggs (2 seizure actions). (F.D.C. Nos. 50604; 50653. S. Nos. 7-324 A, 9-893/4 A; 113-101 A.)

QUANTITY: 205 30-lb. cans at Baltimore, Md.

SHIPPED: 8-24-64 and 9-16-64, from Burgaw, N.C., by Carlisle Poultry & Egg Associates, Inc.

LABEL IN PART: (Some cans) "Carlisle Poultry and Egg Assoc., Inc. Burgaw, North Carolina. * * * Whole Eggs."

LIBELED: 10-1-64, 10-5-64, Dist. Md.

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

DISPOSITION: 11-10-64. Consent—claimed by shipper for reconditioning. The reconditioning operations were unsuccessful and the article was subsequently destroyed.

29937. Frozen eggs. (F.D.C. No. 50725. S. Nos. 86-719 A, 88-126 A.)

QUANTITY: 26 30-lb. cans, at Memphis, Tenn.

SHIPPED: 7-9-64, from Birmingham, Ala., by Schneider Bros., Inc.

LABEL IN PART: "Frozen Selected Whole Eggs * * * Packed By Schneider Bros., Inc. Birmingham, Ala."

LIBELED: 10-23-64, W. Dist. Tenn.

CHARGE: 402(a)(1)—when shipped, the article contained an added poisonous and deleterious substance, salmonella micro-organisms (pathogenic bacteria), which may render it injurious to health.

DISPOSITION: 12-3-64. Default—delivered to a Government institution for use as hog feed after cooking.

29938. Egg mix. (F.D.C. No. 49627. S. No. 25-417 X.)

QUANTITY: 84 cases, each containing 12 4-oz. pkgs. of 6 packets each, at Fort Wayne, Ind.

SHIPPED: 8-29-63 and 10-8-63, from Chicago, Ill., by Kraft Foods.

LABEL IN PART: (Pkg.) "New From Kraft * * * Handier than a Dozen Eggs Miracle-Egg Brand Instant Egg White Mix With Golden Egg Yolk Substitute * * * Kraft Foods, Chicago 90, Ill. Div. National Dairy Products Corp. * * * Directions."

ACCOMPANYING LABELING: Booklet entitled "A New Best Seller The Egg and You" and display sheets entitled "New Instant Egg White Mix."

LIBELED: 12-4-63, N. Dist. Ind.

CHARGE: 403(a)—when shipped, the labeling of the article bore false and misleading statements, including the name "Miracle-Egg" and the label vignette depicting scrambled eggs which represented and suggested that the article was a new kind of superior eggs, that it could be used generally as a substitute for eggs in cooking, that it was nutritionally superior to eggs and that it would furnish an unusually high amount of nutrition in a quantity which was low in calories; 403(a)—the labeling of the article bore false and misleading statements including the name which represented and suggested in the setting in which they were presented that the article was adequate to