

SHIPPED: 3-8-65, from Carlsbad, Calif., by Marja Acres, Inc.

LABEL IN PART: (Can) "Frozen Whole Eggs * * * Marja Acres Eggs Carlsbad California."

LIBELED: 4-2-65, W. Dist. N.Y.

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

DISPOSITION: 4-23-65. Consent—claimed by Marja Acres, Inc., Carlsbad, Calif. Reconditioned; 130 30-lb. cans denatured.

30250. Frozen eggs. (F.D.C. No. 51433. S. No. 34-373 B.)

QUANTITY: 1,200 30-lb. cans at Solon, Ohio.

SHIPPED: 5-20-65, from Pangburn, Ark.

LIBELED: 6-15-65, N. Dist. Ohio.

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

DISPOSITION: 6-28-65. Consent—claimed by Tharp Bros. Co., Pangburn, Ark. Reconditioned; 7 cans denatured.

30251. Frozen egg whites. (F.D.C. No. 50991. S. No. 47-712 A.)

QUANTITY: 48 30-lb. cans at Albuquerque, N. Mex.

SHIPPED: 11-27-64, from Newton, Kans., by Hurst Products, Inc.

LABEL IN PART: (Can) "Frozen Egg Whites * * * Packed by Hurst Products Inc Newton, Kansas."

LIBELED: 1-29-65, Dist. N. Mex.

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

DISPOSITION: 3-5-65. Default—destruction.

30252. Frozen egg whites and frozen egg blend product. (F.D.C. No. 50689. S. Nos. 75-619/20 A.)

QUANTITY: 344 30-lb. cans of frozen egg whites, and 455 30-lb. cans of frozen egg blend product, at Jackson, Miss.

SHIPPED: 8-12-64, from Kansas City, Mo., by Monark Egg Corp.

LABEL IN PART: (Can) "Egg Whites * * * Packed for Monark Egg Corp Kansas City, Mo." and "Montex Contains Whole Eggs, Egg Yolks * * * Monark Egg Corp Kansas City, Mo."

LIBELED: 10-26-64, S. Dist. Miss.

CHARGE: 402(a)(1)—when shipped, the articles contained an added poisonous and deleterious substance, Salmonella micro-organisms, which may have rendered the articles injurious to health.

DISPOSITION: 3-10-65. Consent—claimed by Monark Egg Corp., and reconditioned by pasteurizing.

30253. Dried eggs. (F.D.C. No. 50958. S. No. 81-830 A.)

QUANTITY: 50 drums at Brooklyn, N.Y.

SHIPPED: 9-18-64, from Wakefield, Nebr., by Milton G. Waldbaum Co.

LABEL IN PART: (Drum) "Dried Whole Egg Solids * * * Stabilized * * * Packed by Milton G. Waldbaum Wakefield, Nebr."

LIBELED: 1-6-65, E. Dist. N.Y.

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

DISPOSITION: 1-28-65. Consent—claimed by Milton G. Waldbaum Co., Wakefield, Nebr., and reconditioned.

FEEDS AND GRAINS

30254. Dried sugar beet pulp with molasses, and dried sugar beet pulp. (Inj. No. 512.)

COMPLAINT FOR INJUNCTION FILED: On or about 6-30-65, Dist. Minn., against American Crystal Sugar Co., a corporation, East Grand Forks, Minn., and J. C. Tanner, general manager.

CHARGE: The complaint alleged that the defendants were engaged in operating at East Grand Forks, Minn., a sugar beet processing plant for the production, in part, of dried sugar beet pulp with molasses, and dried sugar beet pulp, foods within the meaning of the Act, and had been and were then shipping in violation of the law such foods which were adulterated within the meaning of 402(a)(2)(C).

The complaint alleged further that such foods were adulterated by the presence therein of a food additive, dieldrin, which was unsafe within the meaning of 409, since it and its use and its intended use were not in conformity with a regulation or exemption.

The complaint alleged also that the defendants had on hand, at the plant, stocks of such foods, namely, approximately 40,000 50-pound bags of dried sugar beet pulp with molasses and approximately 30,000 50-pound bags of dried sugar beet pulp, which stocks of such foods had been sampled and analyses performed thereupon. Copies of the reports of the analyses had been supplied to the defendants and the reports revealed that both the dried sugar beet pulp with molasses and the dried sugar beet pulp contained dieldrin. Such stocks of dried sugar beet pulp with molasses and dried sugar beet pulp constituted a menace to interstate commerce by reason of their dieldrin content.

DISPOSITION: On or about 6-30-65, the court denied a motion for a temporary restraining order which had been sought by the Government at the time the complaint was filed. On 8-3-65, a consent decree for preliminary injunction was filed.

The decree enjoined the defendants from shipping in interstate commerce, for sale or other purposes, any portion of the stock of dried sugar beet pulp with molasses and dried sugar beet pulp then on hand at the sugar beet processing plant of American Crystal Sugar Co., East Grand Forks, Minn., consisting of approximately 22,880 50-pound bags of dried sugar beet pulp with molasses and approximately 21,000 50-pound bags of dried sugar beet pulp.

The decree also provided that the preliminary injunction would not restrain or enjoin the defendants from exporting all or any portion of the stock of