PLEA: Guilty.

DISPOSITION: 7–23–63. Corporation—$400 fine; Martin—taxed court costs.

28938. Frozen eggs. (F.D.C. No. 49018. S. No. 46–483 X.)

QUANTITY: 455 30-lb. cans at Memphis, Tenn.

SHIPPED: 6–4–63, from Birmingham, Ala., by Schneider Bros., Inc.

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

LIBELED: 6–25–63, W. Dist. Tenn.

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

DISPOSITION: 7–24–63. Consent—claimed by Schneider Bros., Inc., Chicago, Ill. Segregated; 45 cans denatured.

28939. Frozen eggs. (F.D.C. No. 48973. S. No. 8–036 V.)

QUANTITY: 182 30-lb. cans, at Providence, R.I.

SHIPPED: 4–17–63 and 4–27–63, from Roxbury, Mass., by Fleishman Co., to Newport, R.I., and subsequently reshipped to Providence, R.I.

LABEL IN PART: "Whole Eggs Fleishman & Co. 165 Terrace St. Boston 20."

LIBELED: 5–22–63, Dist. R.I.

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

DISPOSITION: 7–29–63. Default—destruction.

28940. Frozen eggs. (F.D.C. No. 48828. S. No. 7–635 V.)

QUANTITY: 11 30-lb. cans, at Bridgeport, Conn.

SHIPPED: 4–12–62, from Brooklyn, N.Y., by Quality Egg Co., Inc.

LABEL IN PART: (Can) "Whole Eggs Malto-Dextrin Added * * * Packed by Quality Egg Co., Inc. * * * Brooklyn, N.Y."

LIBELED: 4–2–63, Dist. Conn.

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

DISPOSITION: 7–29–63. Default—destruction.

FISH AND SHELLFISH

28941. Caviar. (F.D.C. No. 48666. S. No. 48–912 V.)

QUANTITY: 10 14-oz. cans and 9 7-oz. cans, at San Francisco, Calif.

SHIPPED: 1–17–63, from New York, N.Y., by Iron Gate Products Co., Inc.

LABEL IN PART: (Can) "Caviar Fidelis Malossol Iron Gate Products Co., Inc. New York."

RESULTS OF INVESTIGATION: Investigation showed that the article contained a boron compound.

LIBELED: 3–6–63, N. Dist. Calif.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, namely, a boron compound, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; and 403(e)(2)—the article failed to bear a statement of the quantity of contents.

DISPOSITION: 5–15–63. Default—destruction.