

**LABEL IN PART:** "Whole Eggs \* \* \* Distributed by Ballas Egg Products, Zanesville, Ohio" and "Vines Poultry Co. West Eckert St. Osgood, Ind. Whole Eggs."

**LIBELED:** 8-23-61, W. Dist. Pa.

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

**DISPOSITION:** 9-20-61. Consent—claimed by Vimco Macaroni Products Co., Carnegie, Pa. Segregated; 332 cans denatured.

**28071. Frozen eggs.** (F.D.C. No. 46458. S. No. 34-295 R.)

**QUANTITY:** 992 cans at Jersey City, N.J.

**SHIPPED:** 6-28-61, from Pelahatchie, Miss., by Garth Poultry & Egg Service.

**LABEL IN PART:** (Can) "Garth's Frozen Whole Egg. 30# Net Wt. Packed by Garth Poultry & Egg Service, Inc. Pelahatchie, Miss."

**LIBELED:** 9-19-61, Dist. N.J.

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

**DISPOSITION:** 11-20-61. Consent—claimed by Garth Poultry & Egg Service. Segregated; 985 cans destroyed.

**28072. Frozen eggs.** (F.D.C. No. 45974. S. Nos. 20-438/9 R, 21-687 R, 21-700/1 R.)

**INFORMATION FILED:** 10-26-61, W. Dist. Tenn., against Frigid Food Products, Inc., McKenzie, Tenn.; information amended 1-8-62, to change the name of the defendant to Frigid Foods of Tennessee, Inc.

**SHIPPED:** Between 6-7-60 and 6-14-60, from Tennessee to Michigan.

**LABEL IN PART:** (Can) "FRIGID FOOD PRODUCTS, Inc. FRIGIDEGS WHOLE EGGS 30 Lbs. Net."

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

**PLEA:** Nolo contendere.

**DISPOSITION:** 1-8-62. \$5,000 fine.

**28073. Frozen eggs.** (F.D.C. No. 46804. S. No. 39-818 T.)

**QUANTITY:** 14 30-lb. cans at Brooklyn, N.Y.

**SHIPPED:** 11-3-61, from Newfield, N.J., by Finkelstein Farms.

**LABEL IN PART:** (Can lid) "Frozen Egg Products Whole Eggs Mix Produced by Finkelstein Farms, Newfield, N.J."

**LIBELED:** 1-10-62, E. Dist. N.Y.

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

**DISPOSITION:** 2-19-62. Default—destruction.

## FRUITS AND VEGETABLES

### DRIED FRUIT

**28074. Dried apples.** (F.D.C. No. 46564. S. No. 6-971 T.)

**QUANTITY:** 200 60-lb. ctns. at Somerville, Mass.

**SHIPPED:** 8-14-61, from Santa Rosa, Calif., by Dean Dale Sales Agency.

**LABEL IN PART:** (Ctn.) "60 Lbs. Net When Packed DPO Evaporated Apples \* \* \* Distributed by Dean Dale, P.O. Box 359 4614 Sonoma Hi-Way Santa Rosa, California."

**LIBELED:** 10-9-61, Dist. Mass.

**CHARGE:** 402(a)(3)—contained rodent hairs and rotten apples; and 402(a)(4)—prepared and packed under insanitary conditions.

**DISPOSITION:** 11-20-61. Default—delivered to a public institution for use as animal feed.

**28075. Dried apples.** (F.D.C. No. 45571. S. No. 49-166 P.)

**INFORMATION FILED:** 11-16-61, N. Dist. Calif., against Santa Cruz Fruit Co., a partnership, Santa Cruz, Calif.

**ALLEGED VIOLATION:** On 10-13-59, the defendant caused to be given to a firm engaged in the business of shipping various products in interstate commerce, a guaranty to the effect that fruits shipped by the defendant to such firm would not be adulterated. On 10-27-59, the defendant caused to be shipped and delivered to the holder of the guaranty at San Jose, Calif., quantities of dried apples which were adulterated.

**CHARGE:** 402(a)(3)—contained insect fragments, insect excreta, and other insect filth.

**PLEA:** Guilty.

**DISPOSITION:** 2-6-62. \$1,000 fine.

### MISCELLANEOUS FRUIT PRODUCTS

**28076. Apple juice.** (F.D.C. No. 45752. S. No. 61-139 R.)

**QUANTITY:** 192 cases, 12 1-qt. btls. each, at Wichita, Kans.

**SHIPPED:** 2-13-61, from Kansas City, Mo., by Speas Co.

**LABEL IN PART:** (Btl.) "Speas Apple Juice \* \* \* Packed by Speas Company, Kansas City, Mo."

**LIBELED:** 5-24-61, Dist. Kans.

**CHARGE:** 402(a)(3)—consisted in whole or in part of a filthy substance; and 402(a)(4)—prepared and packed under insanitary conditions.

**DISPOSITION:** 10-20-61. Default—destruction.

**28077. Frozen concentrated orange juice.** (F.D.C. No. 46028. S. Nos. 58-301 R, 58-328 R.)

**QUANTITY:** 786 cases, 48 cans each, at East Point, Ga.

**SHIPPED:** 1-5-61 and 2-9-61, from Orlando, Fla., by Snow Crop Sales Div. of Minute Maid Corp.

**LABEL IN PART:** (Can sides) "Snow Crop Pure Concentrated Orange Juice \* \* \* Makes 24 fl. oz. \* \* \* Equal to the juice of up to 12 oranges. Snow Crop Sales Division, Minute Maid Corporation, Orlando, Florida" (can ends) "Snow Crop 100% Richer in Visible Flavor Cells."

**LIBELED:** 6-20-61, N. Dist. Ga.

**CHARGE:** 403(a)—when shipped, the label statement "100% Richer in Visible Flavor Cells" was false and misleading since the article was not 100% richer in vitamin C; and it would not improve health, increase energy; help fight disease; and resist infection, as implied; 403(a)—the label statement "100% Richer in Visible Flavor Cells" was false and misleading since it implied that the visible insoluble material in the article consisted of flavor cells which was contrary to fact; 403(a)—the label statement "100% Richer in Visible Flavor Cells" was false and misleading since it purported to make a comparison without giving the basis of comparison; and 403(a)—the label statement "Equal to