

27317. Candy. (F.D.C. No. 45592. S. Nos. 39-732/3 R.)

QUANTITY: 12 cases, 6 5-lb. boxes each, and 9 cases, 10 30-lb. boxes each, at Moline, Ill.

SHIPPED: 2-3-61, from Toledo, Ohio, by M. G. Shaghalian Co.

LABEL IN PART: (Case) "Tortettes Manufactured by M. G. Shaghalian Co., Boston, Mass., Toledo, Ohio" and "Debonair Chocolates * * * Milk Chocolate Double Dipped Virginia Peanuts Manufactured by M. G. Shaghalian Co., Boston, Mass., Toledo, Ohio."

LIBELED: 3-27-61, S. Dist. Ill.

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

DISPOSITION: 5-15-61. Default—destruction.

27318. Licorice. (F.D.C. No. 45609. S. No. 53-669 R.)

QUANTITY: 92 cases, 12 6½-oz. bags each, at Newport, Minn., in possession of J. P. Fritz Candy Co., Inc.

SHIPPED: 12-30-60, from Chicago, Ill.

LABEL IN PART: (Bag) "Fritzie Fresh Candies Licorice-Low Calorie Packed by Fritz Candy Co., Newport, Minn."

RESULTS OF INVESTIGATION: The article was shipped in bulk and was repacked by the dealer into the bags described above.

LIBELED: 4-3-61, Dist. Minn.

CHARGE: 403(a)—while held for sale, the label statement "Low Calorie" was false and misleading, since it was contrary to fact.

DISPOSITION: 5-26-61. Default—delivered to charitable institutions.

27319. Honey. (F.D.C. No. 45446. S. No. 38-878 R.)

QUANTITY: 57 cases, 12 jars each, at Lebanon, Mo.

SHIPPED: 1-12-61, from Batesville, Ark., by Voughn Wilson.

LABEL IN PART: (Jar) "Wilson's Wild Flower Net Wt. 2 Lbs. U.S. Grade A Honey Produced & Packed by Voughn Wilson, Route 4, Batesville, Arkansas."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 3-7-61, W. Dist. Mo.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 5-22-61. Consent—claimed by Voughn Wilson, and repacked.

DAIRY PRODUCTS

BUTTER

27320. Butter. (F.D.C. No. 44622. S. Nos. 72-027 P, 72-032/3 P.)

INFORMATION FILED: 7-13-60, W. Dist. N.C., against Shelby Creamery Co., Inc., Shelby, N.C., and William M. Lineberger, president.

ALLEGED VIOLATIONS: On 2-21-57, the defendants gave to a firm engaged in the business of shipping butter in interstate commerce, a guaranty to the effect that butter delivered by the defendants under the guaranty would not be

adulterated. On 8-4-59 and 9-1-59, the defendants caused to be delivered to the holder of the guaranty at Charlotte, N.C., quantities of butter which were adulterated.

CHARGE: 402(a)(3)—contained ants, mites, and insect fragments, and decomposed cream had been used in the manufacture of the article.

PLEA: Nolo contendere.

DISPOSITION: 4-17-61. \$1,000 fine against the defendants jointly.

27321. Butter. (F.D.C. No. 45210. S. No. 23-197 R.)

INFORMATION FILED: 2-27-61, W. Dist. Okla., against John P. Burkey and Arthur A. Burkey, partners in the partnership of Burkey Creamery, Cushing, Okla.

ALLEGED VIOLATION: On 1-11-56, the defendants caused to be given to a firm engaged in the business of shipping butter in interstate commerce a guaranty to the effect that butter shipped by the defendants under the guaranty would not be adulterated. On 7-28-60, the defendants caused to be shipped to the holder of the guaranty a quantity of butter which was adulterated.

CHARGE: 402(a)(3)—contained insect fragments and mites, filth-contaminated cream had been used in the preparation of the article; and 402(a)(4)—the article had been prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 4-13-61. Each defendant fined \$100.

CHEESE

27322. Swiss cheese. (F.D.C. No. 45915. S. No. 69-101 R.)

QUANTITY: 33 cases, each containing 1 carton of 12 6-oz. pkgs., at Chicago, Ill.

SHIPPED: 5-9-61, from Monroe, Wis., by Triangle Cheese Co.

LABEL IN PART: (Pkg. and ctn.) "Hoffman's Sliced Wisconsin Swiss Cheese
* * * J. S. Hoffman Company Chicago-Wisconsin-New York."

LIBELED: 6-5-61, N. Dist. Ill.

CHARGE: 402(b)(3)—when shipped, artificial holes, or eyes, had been cut into the cheese, thereby concealing inferiority of the product.

DISPOSITION: 6-20-61. Default—destruction.

EGGS

27323. Frozen eggs. (F.D.C. No. 45108. S. No. 2-328 R.)

QUANTITY: 345 30-lb. cans at Jacksonville, Fla.

SHIPPED: Prior to 11-16-59, from outside Florida.

LIBELED: 11-23-60, S. Dist. Fla.

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

DISPOSITION: 2-2-61. Consent—claimed by P. R. Harrell, Bainbridge, Ga.
Segregated; 73 cans denatured.

27324. Frozen eggs. (F.D.C. No. 45625. S. No. 45-110 R.)

QUANTITY: 34 30-lb. cans at Billings, Mont.

SHIPPED: 12-8-60, from Seattle, Wash., by Klock Produce Co.

LIBELED: 4-13-61, Dist. Mont.