

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.

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

DISPOSITION: 5-22-61. Default—destruction.

27325. Incubator reject eggs. (F.D.C. No. 45733. S. Nos. 69-782/3 R.)

QUANTITY: 1 truckload of incubator reject eggs in the State of Delaware.

SHIPPED: 4-21-61, from Salisbury, Md., by A. W. Perdue & Son, Inc.

LIBELED: 4-20-61, Dist. Del.

CHARGE: 402(a) (3)—contained decomposed eggs and was otherwise unfit for food when shipped.

DISPOSITION: 5-11-61. Default—destruction.

FISH

27326. Frozen fish fillets. (F.D.C. No. 45734. S. Nos. 31-555/7 R.)

QUANTITY: 103 cases, each case containing approximately 40 lbs. of individually wrapped 8 to 10-oz. or 10 to 12-oz. frozen fish fillets in 5-lb. ctns., at Biloxi, Miss.

SHIPPED: Between 11-27-60 and 1-18-61, from Mexico, by Pescados del Sureste, Mariscos del Golfo, and Pesquerias de Golfo.

LABEL IN PART: (Case) "Product of Mexico Distributed by Star Sales Agency P.O. Box 539, Biloxi, Miss."; (ctn.) "Packed by Pescados del Sureste, S. A. Product of Mexico—Snapper Fillets Progreso, Yuc. Mexico."; (case) "Star Light Brand Snapper Fillets Packed by J. Robleda C. Calle 58 No. 475 Merida Yuc., Mexico"; (ctn.) "Packed by Pescados del Sureste, S. A. Progreso, Yuc. Mexico—Snapper Fillets"; and "Dist. by Star Sales Agency, Biloxi, Miss. Snappers."

RESULTS OF INVESTIGATION: Examination showed the product to be grouper fillets.

LIBELED: 4-24-61, S. Dist. Miss.

CHARGE: 403(a)—when shipped and while held for sale, the label statement "Snapper Fillets" was false and misleading; and 403(b)—grouper fillets were offered for sale under the name of another food, namely, snapper fillets.

DISPOSITION: 5-18-61. Consent—claimed by Star Sales Agency, Biloxi, Miss., and relabeled.

27327. Frozen frog legs. (F.D.C. No. 45774. S. Nos. 46-976/7 R, 46-979 R.)

QUANTITY: 320 10-lb. boxes at Detroit, Mich.

SHIPPED: 8-23-60, from New York, N.Y.

LIBELED: 5-5-61, E. Dist. Mich.

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

DISPOSITION: 6-13-61. Default—destruction.

27328. Frozen frog legs. (F.D.C. No. 45777. S. No. 20-714 R.)

QUANTITY: 10 10-lb. boxes at Detroit, Mich.

SHIPPED: 3-7-61, from New York, N.Y.

LIBELED: 5-5-61, E. Dist. Mich.

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

DISPOSITION: 6-21-61. Default—destruction.