CHARGE: 402(a)(3)—contained rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 7–11–61. Default—delivered to a public institution for use as animal feed.

27492. Nonfat dry milk. (F.D.C. No. 46168. S. No. 27–500 R.)

QUANTITY: 218 cases, 12 pkgs. each, at St. Paul, Minn.

SHIPPED: 6–12–61, from Elsie, Mich., by Michigan Milk Producers Association.

LABEL IN PART: (Pkg.) "Net Wt. 1 lb. 9⅝ Oz. Super Instant Fairway Nonfat Dry Milk (Dry Skim Milk) Makes 8 Quarts Packed for Fairway Foods, Inc. St. Paul, Minn."

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

LIBELED: 8–10–61, Dist. Minn.

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

DISPOSITION: 10–2–61. Default—delivered to charitable institutions.

EGGS

27493. Frozen eggs. (F.D.C. No. 46068. S. No. 56–790 R.)

QUANTITY: 145 30-lb. cans at New York, N.Y.

SHIPPED: 5–23–61, from Greensburg, Ind., by C. E. Vines Egg Co.

LABEL IN PART: (Can) "EggCo Brand Quick Frozen Whole Eggs Distributed by Egg Corporation of America, New York, New York."

LIBELED: 7–10–61, S. Dist. N.Y.

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

DISPOSITION: 8–9–61. Consent—claimed by Vines Poultry Farms, Osgood, Ind. Segregated; 52 cans denatured.

FEEDS AND GRAINS

27494. Canned cat food. (F.D.C. No. 45747. S. No. 18–383 R.)

QUANTITY: 751 cases, 48 15-oz. cans each, at Ogden, Utah.

SHIPPED: Between 1–5–61 and 4–7–61, from Hillsboro, Oreg., by Albers Milling Co.

LABEL IN PART: (Can) "New Friskies 'Chicken Dinner' Cat Food * * * Distributed by Albers Milling Company, A Division of Carnation Company, Los Angeles, California. A complete Food * * * with all the taste appeal of plump, country-fresh roasted chicken. Complete nourishment and extra flavor are assured by blending tender chicken goodness with choice whole fish, select cereals and nutritional supplements."

LIBELED: 5–1–61, Dist. Utah.

CHARGE: 403(a)—when shipped, the label statements "Chicken Dinner" and "the taste appeal of plump, country-fresh roasted chicken" were false and misleading as applied to a product consisting essentially of chicken viscera, chicken backs, chicken necks, fish, and cereals.

DISPOSITION: 7–12–61. Consent—claimed by Carnation Co., Los Angeles, Calif., and relabeled.