

Three of the four shipments were alleged to be misbranded in that the label "Butter" was false and misleading, since the article contained less than 80 percent of milk fat.

On May 19 and June 8 and 14, 1939, Midwest Dairies, Inc., Portales, N. Mex., and Wilsey Bennett, San Francisco, Calif., having appeared as claimants for respective portions of the article, judgments of condemnation were entered, and the product was ordered released under bond conditioned that it be brought up to the legal standard under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

**30576. Adulteration of frozen eggs. U. S. v. 155 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. & D. No. 45295. Sample No. 62412-D.)**

Samples of this product were found to be decomposed and to contain miscellaneous filth, bits of meat, and excreta.

On May 10, 1939, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 155 cans of frozen whole eggs at New Orleans, La.; alleging that the article had been shipped in interstate commerce on or about April 18, 1939, from Cuero, Tex., by Cudahy Packing Co. of Louisiana, Ltd., of New Orleans, La.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cudahy's Frozen Sunlight Eggs."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On May 27, 1939, the Cudahy Packing Co. of La., Ltd., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that the good be segregated from the bad under supervision of this Department, and that the bad be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**30577. Adulteration of butter. U. S. v. 13 Cubes of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 45343. Sample Nos. 56142-D, 56143-D.)**

This product contained less than 80 percent of milk fat.

On May 3, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cubes of butter at Oakland, Calif.; alleging that the article had been shipped in interstate commerce on or about April 24, 1939, from Mount Angel, Oreg., by Mount Angel Cooperative Creamery; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On May 19, 1939, the Lucerne Cream & Butter Co., Oakland, Calif., having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be disposed of until brought into compliance with the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

**30578. Adulteration of frozen shrimp. U. S. v. 193 Bags of Frozen Shrimp. Default decree of condemnation and destruction. (F. & D. No. 45275. Sample No. 60723-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be in part decomposed.

On May 5, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 193 bags of frozen shrimp at New York, N. Y.; alleging that the article had been shipped on or about September 10, 14, and 15, 1938, by the Cartaret Fish Co., from Beaufort, N. C.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.