

31036. Adulteration of frozen eggs. U. S. v. Cudahy Packing Company of Louisiana, Ltd., Plea of guilty. Fine, \$60. (F. & D. No. 42770. Sample No. 62412-D.)

This case involved a shipment of frozen eggs which were in part decomposed. Samples examined also were found to contain miscellaneous filth, bits of meat, and excreta.

On October 12, 1939, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Cudahy Packing Company of Louisiana, Ltd., a corporation trading at Cuero, Tex., alleging shipment by said defendant in violation of the Food and Drugs Act on or about April 18, 1939, from the State of Texas into the State of Louisiana, of a quantity of frozen eggs that were adulterated. The article was labeled in part: "Cudahy's Frozen Sunlight Eggs."

Adulteration was alleged in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 14, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$60.

GROVER B. HILL, *Acting Secretary of Agriculture.*

31037. Adulteration of wheat gray shorts and scourings. U. S. v. The O. A. Cooper Co. Plea of nolo contendere. Fine, \$50. (F. & D. No. 42782. Sample No. 5972-D.)

Wheat brown shorts and scourings had been substituted in whole or in part for this product.

On February 2, 1940, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the O. A. Cooper Co., a corporation, Humboldt, Nebr., alleging shipment by said defendant in violation of the Food and Drugs Act on or about May 17, 1939, from the State of Nebraska into the State of Kansas, of a quantity of wheat gray shorts and scourings that were adulterated.

The article was alleged to be adulterated in that wheat brown shorts and scourings had been substituted in whole or in part for wheat gray shorts and scourings.

On February 24, 1940, a plea of nolo contendere was entered on behalf of the defendant, and the court imposed a fine of \$50.

GROVER B. HILL, *Acting Secretary of Agriculture.*

31038. Misbranding of butter. U. S. v. J. Eastman Hatch (Trustee in Bankruptcy of Mutual Creamery Co.). Plea of guilty. Fine, \$10. (F. & D. No. 42776. Sample Nos. 27379-D, 27380-D.)

This product was short of the declared weight.

On November 13, 1939, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court an information against J. Eastman Hatch, trustee in bankruptcy of the Mutual Creamery Co., alleging shipment by said defendant on or about May 13, 1939, from the State of Colorado into the State of Arizona, of a quantity of butter which was misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: "Maid O'Clover Four-in-one Butter One Pound Net * * * Manufactured & Distributed By Mutual Creamery Company, Grand Junction, Colorado."

It was alleged to be misbranded in that the statement on the cartons, "One Pound Net," was false and misleading and was borne on the said cartons so as to deceive and mislead the purchaser since they contained less than 1 pound net of the article. Misbranding was alleged further in that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not a true and correct statement of the quantity of contents.

On March 15, 1940, the defendant entered a plea of guilty and the court imposed a fine of \$10.

GROVER B. HILL, *Acting Secretary of Agriculture.*

31039. Adulteration of butter. U. S. v. St. Stephens Cooperative Creamery Association. Plea of guilty. Fine, \$25. (F. & D. No. 42762. Sample Nos. 51542-D, 51734-D.)

This case involved a shipment of butter which contained less than 80 percent by weight of milk fat.

On February 26, 1940, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district