

alleging that the article had been shipped in interstate commerce on or about July 14 and 15, 1943, by the Highway Butter & Egg Co. from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On September 28, 1943, the Highway Butter & Egg Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregating the good eggs from the bad and denaturing or destruction of the bad eggs, under the supervision of the Food and Drug Administration.

5341. Adulteration of frozen whole eggs. U. S. v. 700 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 10528. Sample No. 20836-F.)

On August 31, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against 700 cans of frozen whole eggs at Erie, Pa., alleging that the article had been shipped in interstate commerce on or about July 21, 1943, by David Bunshaft from Buffalo, N. Y.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance by reason of the presence of decomposed eggs.

On September 8, 1943, the Firch Baking Co. of Erie, Pa., having appeared as claimant and having admitted the material allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and, upon the petition of the claimant, the court entered an order releasing the product under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration.

5342. Adulteration of frozen eggs. U. S. v. 250 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for disposition in compliance with the law. (F. D. C. No. 10092. Sample No. 6156-F.)

Examination showed the presence of decomposed eggs.

On June 12, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 250 cans of frozen eggs at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about March 11, 1943, by Swift & Co., from Muskogee, Okla.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On June 26, 1943, Swift & Co., having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The fit portion was separated from the unfit and the latter was disposed of as tankage.

5343. Adulteration of frozen whole eggs. U. S. v. 402 Containers of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for segregation of the unfit portion from the fit portion and destruction of the unfit portion. (F. D. C. No. 10187. Sample No. 45373-F.)

On or about July 12, 1943, the United States attorney for the Southern District of New York filed a libel against 402 containers of frozen whole eggs at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 27, 1943, by the Twin Rivers Co., Inc., from Grand Island, Nebr.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 21, 1943, S. & W. Waldbaum, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the unfit portion from the fit portion of the product, and destruction of the latter under the supervision of the Food and Drug Administration.

5344. Adulteration of frozen whole eggs. U. S. v. 31 Cans, 237 Cans, and 195 Cans of Frozen Whole Eggs. Decrees of condemnation and destruction. Portion of product ordered released under bond for segregation and destruction of the unfit portion. One lot ordered destroyed. (F. D. C. Nos. 10072, 10097, 10161. Sample Nos. 45353-F, 45359-F, 45363-F, 45370-F, 45371-F.)

On June 9, 14, and 30, 1943, the United States attorneys for the Southern and Eastern Districts of New York filed libels against 31 cans and 195 cans of frozen whole eggs at New York, N. Y., and 237 cans of frozen whole eggs at Brooklyn,

N. Y., alleging that the article had been shipped in interstate commerce from on or about April 5 to June 2, 1943, by the Conestoga Cream & Cheese Manufacturing Corporation from Lima, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 3, 1943, no claimant having appeared for the 31-can lot, a judgment of condemnation was entered and the product was ordered destroyed. On July 26 and 29, 1943, the Conestoga Cream & Cheese Manufacturing Corp. of Lima, Ohio, and Nathan Erlich, of Brooklyn, N. Y., having appeared as claimants for the remaining lots and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

5345. Adulteration of shell eggs. U. S. v. 50 Cases and 250 Cases of Eggs. Product ordered released under bond for separation of the good from the bad portion. (F. D. C. Nos. 10445, 10518. Sample Nos. 15193-F, 15194-F, 15197-F to 15199-F, incl.)

On August 20 and 28, 1943, the United States attorney for the Southern District of California filed libels against a total of 300 cases of eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 9 and 15, 1943, by the Dickey-Davis Co., from Phoenix, Ariz.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance by reason of the presence of decomposed egg. The article was labeled in part: "Dirty," "Bakers," or "Checks." Twenty-seven of these cases were unlabeled.

On August 24 and September 2, 1943, J. M. Davis, W. E. Humphries, and J. Earl Stowe, trading under the name of the Dickey-Davis Company, having appeared as claimants, and having admitted the allegations of the libels, the court entered orders releasing the product under bond of segregation of the fit portion from the unfit portion under the supervision of the Food and Drug Administration.

5346. Adulteration of shell eggs. U. S. v. 356 Cases of Shell Eggs. Decree of condemnation. Product ordered released under bond for sorting of the fit portion from the unfit portion, and use of the unfit portion for industrial purposes. (F. D. C. No. 10212. Sample No. 20641-F.)

Examination of this product showed the presence of rotten and moldy eggs.

On July 9, 1943, the United States attorney for the District of Massachusetts filed a libel against 356 cases of shell eggs at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about June 18, 1943, by F. M. Priest & Sons from St. James, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 20, 1943, the Siegel Egg Co. of Boston, Mass., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for sorting of the fit portion from the unfit portion under the supervision of the Food and Drug Administration, and disposition of the unfit portion for industrial purposes.

FISH AND SHELLFISH

5347. Adulteration of frozen mullet fillets. U. S. v. 215 Cartons and 1,357 Cartons of Mullet Fillets. Default decree of condemnation and destruction. (F. D. C. No. 10157. Sample Nos. 36228-F, 36229-F.)

On June 30, 1943, the United States attorney for the District of Colorado filed a libel against 215 45-pound cartons and 1,357 15-pound cartons of mullet fillets at Denver, Colo., which had been shipped by the Northern Lakes Fisheries Co., Ltd., from Winnipeg, Canada, on or about June 7, 1943; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On August 27, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5348. Adulteration of frozen ocean pout. U. S. v. 6 Cases "Cello Ocean Pout." Consent decree of condemnation and destruction. (F. D. C. No. 10071. Sample No. 36318-F.)

On June 11, 1943, the United States attorney for the District of Colorado filed a libel against 6 cases of cello ocean pout which had been shipped by the Booth Fisheries Corporation, alleging that the article had been shipped on or about May 18, 1943, from Boston, Mass.; and charging that it was adulterated in that