

ALLEGED VIOLATION: Between the approximate dates of July 7 and 28, 1950, the defendant caused to be introduced and delivered for introduction into interstate commerce, by delivery in the District of Columbia for sale in the District of Columbia, or elsewhere, a number of unlabeled cans containing frozen eggs which were adulterated and misbranded.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of decomposed eggs.

Misbranding, Sections 403 (e) (1) and (2), the cans failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the cans did not bear a label bearing the common or usual name of the food.

DISPOSITION: April 26, 1951. A plea of not guilty having been entered, the case was tried before the court. A verdict of guilty was returned, and the defendant was fined \$100. *

17663. Adulteration of frozen eggs. U. S. v. 52 Cans * * *. (F. D. C. No. 30984. Sample No. 15090-L.)

LIBEL FILED: June 8, 1951, District of Nebraska.

ALLEGED SHIPMENT: On or about May 2, 1951, by the Omaha Cold Storage Co., from Carroll, Iowa.

PRODUCT: 52 30-pound cans of frozen eggs at Omaha, Nebr.

LABEL, IN PART: "Logan Brand Frozen Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: July 27, 1951. The Omaha Cold Storage Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the adulterated portion from the unadulterated portion, under the supervision of the Federal Security Agency. Segregation operations resulted in the release of 42 30-pound cans of eggs as good and the destruction of 10 30-pound cans as unfit.

FEEDS AND GRAINS

17664. Misbranding of cottonseed screenings. U. S. v. Plains Cooperative Oil Mill. Plea of guilty. Fine of \$200 and costs. (F. D. C. No. 30083. Sample No. 89683-K.)

INFORMATION FILED: February 19, 1951, Northern District of Texas, against the Plains Cooperative Oil Mill, a corporation, Lubbock, Tex.

ALLEGED SHIPMENT: On or about August 3, 1950, from the State of Texas into the State of Kansas.

LABEL, IN PART: "41% Protein Cottonseed Pellets * * * Guaranteed Analysis Crude Protein not less than 41.00 Per Cent."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "41% Protein Cottonseed Pellets" and "Crude Protein not less than 41.00 Per Cent" were false and misleading since the product contained less than 41 percent of protein.