

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: October 1, 1952. The Clary Poultry & Egg 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 the segregation of the fit portion from the unfit, under the supervision of the Federal Security Agency. 175 cans of the product were found unfit and were converted for use as animal feed.

19821. Adulteration of frozen eggs. U. S. v. 107 Cans * * *. (F. D. C. No. 33703. Sample No. 14617-L.)

LIBEL FILED: September 18, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about August 16, 1952, by the Sherman Produce Co., from Sioux City, Iowa.

PRODUCT: 107 cans, each containing 30 pounds, of frozen eggs at Denver, Colo.

LABEL, IN PART: (Can) "From The Rhodes Ranch Egg Co. Rhodes Frozen Egg Whole * * * Denver, Colorado."

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

DISPOSITION: October 21, 1952. The Sherman Produce 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 the segregation of the fit portion from the unfit, under the supervision of the Food and Drug Administration. The 76 cans that actually were seized were examined, and 6 cans were found to be bad and were destroyed.

FEEDS AND GRAINS

19822. Adulteration and misbranding of alfalfa meal. U. S. v. Southwestern Alfalfa Mills, Inc., and Harold E. Clark. Pleas of nolo contendere. Fine of \$30, plus costs, against each defendant. (F. D. C. No. 33811. Sample No. 378-L.)

INFORMATION FILED: November 10, 1952, District of Nebraska, against Southwestern Alfalfa Mills, Inc., Lexington, Nebr., and Harold E. Clark, president of the corporation.

ALLEGED SHIPMENT: On or about August 2, 1951, from the State of Nebraska into the State of Kansas.

LABEL, IN PART: "Alfalfa Meal H. E. Clark Company Winfield Kansas 17% Dehydrated Alfalfa Meal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 17 percent of protein had been substituted for a product containing 17 percent of protein, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Crude Protein, Not Less Than 17.0%" was false and misleading since the article contained less than 17 percent of protein.

DISPOSITION: On February 3, 1953, upon motion of the defendants for transfer of the proceedings pursuant to Rule 21 (b) of the Federal Rules of Criminal Procedure, an order was entered directing the transfer of the case to the