

**4665. Adulteration of liquid eggs. U. S. \* \* \* v. Morris Brown. Plea of nolo contendere. Fine, \$50. (F. & D. No. 7063. I. S. No. 970-k.)**

On February 19, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morris Brown, Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 20, 1915, from the State of Massachusetts into the State of Rhode Island, of a quantity of liquid eggs which were adulterated. The article was labeled, in part: (On shipping tag attached to can) "To M. Brown Butter, Cheese and Eggs Fresh, Broken and Frozen Eggs a Specialty 171 Fulton Street—Boston, Mass."

An examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Portion of sample.	Bacteria per gram.		<i>B. coli</i> per gram.
	Incubated at 37° C. for 2 days.	Incubated at 22° C. for 3 days.	Isolated.
Top of can.....	40,000,000	140,000,000	1,000,000
Midway between top and center of can.....	38,000,000	110,000,000	1,000,000
Center of can.....	70,000,000	200,000,000	1,000,000

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

On May 3, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*