

released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18616. Adulteration and misbranding of canned frozen eggs. U. S. v. 3,600 Cans of Frozen Eggs. Product ordered released under bond to be relabeled. (F. & D. No. 26346. I. S. Nos. 30009, 30010, 30011. S. No. 4591.)**

Samples of canned frozen eggs from the shipments herein described having been found to contain added whites, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On May 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 3,600 cans of frozen eggs, remaining in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped by the Kraft-Phenix Cheese Corporation, Dallas, Tex., in part on or about February 11, 1931, and in part on or about February 16, 1931, and had been transported from the State of Texas into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can cover) "Whole Eggs;" (tag) "Kraft-Phenix Cheese Corporation \* \* \* Dallas, Texas. Whole Eggs."

It was alleged in the libel that the article was adulterated in that whole eggs containing added and undeclared egg whites had been substituted for whole eggs, which the said article purported to be.

Misbranding was alleged for the reason that the statement on the label, "Whole Eggs," was false and misleading and deceived and misled the purchaser in that the article contained added and undeclared egg whites. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, whole eggs.

On June 8, 1931, William W. Johnstone, claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning and forfeiting the product, judgment was entered ordering that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$15,000, conditioned in part that it be relabeled "Whole Eggs with Added Whites," and should not be disposed of contrary to the requirements of the law, and until inspected and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18617. Adulteration of dressed poultry. U. S. v. 4 Barrels of Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26354. I. S. No. 30451. S. No. 4687.)**

Samples of dressed poultry from the shipment herein described having been found to be decomposed and diseased, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 4 barrels of dressed poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Henderson Produce Co., Laclede, Mo., on or about May 4, 1931, and had been transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance; in that it consisted in whole or in part of portions of animals unfit for food; and in that it was the product of diseased animals.

On June 8, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18618. Adulteration of frozen eggs. U. S. v. 441 Cans of Frozen Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26307. I. S. No. 28748. S. No. 4633.)**

Samples of frozen eggs from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Virginia.