

interstate commerce on or about August 29, 1933, by Frank M. Tucker, from Cherryfield, Maine, 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 of a filthy animal (vegetable) substance.

On September 29, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21606. Adulteration of canned frozen eggs. U. S. v. Hanna Poultry & Egg Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 30303. Sample nos. 11007-A, 11008-A.)

This case was based on an interstate shipment of frozen eggs that were found to be in part decomposed.

On October 30, 1933, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Hanna Poultry & Egg Co., a corporation, Atchison, Kans., alleging shipment by said company, under the name of Friebe & Sons, Inc., on various dates between April 7 and April 19, 1931, from the State of Kansas into the State of Missouri, of quantities of frozen eggs that were adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Distributed by Standard Brands Incorporated New York City Fleischmann's Spring Laid Whole Eggs."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy, decomposed, and putrid animal substance.

On November 20, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

21607. Adulteration of butter. U. S. v. The George Freese's Sons Co. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. no. 29448. I. S. no. 38842.)

This case was based on an interstate shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On March 7, 1933, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the George Freese's Sons Co., a corporation, Fostoria, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about September 24, 1931, from the State of Ohio into the State of Massachusetts, of a quantity of butter that was adulterated. The article was labeled in part: "From Geo. Freese's Sons Fostoria, O."

It was alleged in the information that the article was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of March 4, 1923, which the article purported to be.

On October 9, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

21608. Alleged adulteration and misbranding of butter. U. S. v. North Idaho Cooperative Creamery and Joe Smith. Tried to a jury. Verdict of not guilty. (F. & D. no. 29508. Sample nos. 1327-A, 1506-A, 1509-A, 1510-A, 1517-A, 1528-A, 1529-A, 1712-A.)

This case was based on interstate shipments of butter charged to be below the legal standard. One of the shipments was also charged to be short weight.

On August 2, 1933, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the North Idaho Cooperative Creamery, a corporation, Lewiston, Idaho, and Joe Smith, of Lewiston, Idaho, alleging shipment by said defendants between the dates of April 14, 1932, and May 13, 1932, from the State of Idaho into the State of Washington, of quantities of butter which