

59. Adulteration of cream. U. S. v. Two 10-Gallon Cans of Cream (and 2 other seizure actions against the same product). Consent decrees of condemnation and destruction. (F. D. C. Nos. 645, 654, 655. Sample Nos. 81017-D, 81018-D, 81019-D.)

This product was in whole or in part filthy, putrid, or decomposed.

One September 20, 21, and 23, 1939, the United States attorney for the Western District of Pennsylvania filed libels against nine 10-gallon cans and one 5-gallon can of cream at Millvale and Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about September 19, 20, and 22, 1939, by various shippers as follows: Blue Valley Creamery Co., Woodstock, Va.; Guy Morgan, Moundsville, W. Va.; Freeland & Farhatt, Middlebourne, W. Va.; Farmers Supply Co., Morgantown, W. Va.; Dewey O. McCoy, Berkley Springs, W. Va.; Fairmont Creamery Co., Strasburg, Va.; Zipf Hardware Co., St. Marys, W. Va.; Salem Feed & Flour Co., Salem, W. Va.; and B. M. Fun, Orange, Va.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

The consignees having admitted the allegations of the libels and having consented to the entry of orders for the immediate destruction of the product, decrees were entered accordingly on the same dates as the institution of the actions.

60. Adulteration of cream. U. S. v. Five 5-Gallon Cans of Cream (and 7 other seizure actions against the same product). Consent decrees of condemnation and destruction. (F. D. C. Nos. 604 to 611, incl. Sample Nos. 70890-D to 70895-D, incl., 70898-D, 71001-D.)

Samples of this product were found to be decomposed, putrid, rancid, cheesy, or filthy.

On September 6 and 7, 1939, the United States attorney for the District of Colorado filed libels against thirteen 5-gallon cans and eleven 10-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce within the period from September 2 to September 5, 1939, in various lots and by various shippers as follows: David W. Felker, Stratton, Nebr.; John M. Pullen, Lakeside, Nebr.; Kenneth Kitt, Wauneta, Nebr.; Marvin Hansen, Benkelman, Nebr.; Claude Cochran, Bridgeport, Nebr.; Pinebluffs Creamery, Pinebluffs, Wyo.; Nellie E. Brown, Lamar, Nebr.; C. N. Christy, Dix, Nebr.; Chas. Rourke, Gillette, Wyo.; Eddie Laurence, Lodge Grass, Mont.; Ivan Kirkman, Benkelman, Nebr.; Mrs. May Hesseltine, Bayard, Nebr.; Ray Wills, Potter, Nebr.; O. A. Baumgardner, Gurnsey, Wyo.; R. A. Wilkins, Eustace, Nebr.; Andy B. Rapp, Sidney, Nebr.; Peter A. Hoff, Victoria, Kans.; A. W. Thomas, Sidney, Nebr.; Ernest L. Shaw, Selden, Nebr.; Elva Barnt, Keystone, Nebr.; Joseph C. Dawes, Colby, Kans.; M. F. Brestel, Brady Island, Nebr.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

The consignees having admitted the allegations of the libels and having consented to the entry of orders for the immediate destruction of the product, decrees were entered accordingly on the same date as the institution of the actions.

EGGS AND EGG PRODUCTS

61. Adulteration of frozen mixed eggs. U. S. v. 1,852 Cans and 2,000 Cans of Mixed Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 440. Sample Nos. 67709-D, 67713-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be in part decomposed.

On August 17, 1939, the United States attorney for the District of New Jersey filed a libel against 3,852 cans of mixed eggs at Jersey City, N. J., alleging that the article had been shipped on or about July 17 and 24, 1939, by Joe Lowe Corporation from San Antonio, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed or putrid substance.

On August 31, 1939, the Joe Lowe Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that the good be separated from the bad and that the latter be denatured or destroyed.