

by the Star Valley Creamery Co., alleging that the article had been shipped in interstate commerce on or about September 8, 1941, from Kemmerer, Wyo.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Cartons) "Armour's Skim Milk Powder Oven-Tested Spray Process 100 Lbs. Net."

On October 15, 1941, the claimant, Star Valley Creamery Co., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be manufactured into feed for livestock under the supervision of the Food and Drug Administration.

EGGS

Nos. 2683 to 2690 report actions based on interstate shipments of eggs that were found to be in whole or in part decomposed.

2683. Adulteration of frozen eggs. U. S. v. Glacier Dairy. Plea of guilty. Fine, \$100. (F. D. C. No. 4128. Sample Nos. 13638-E to 13641-E, incl.)

At the June term, 1941, the United States attorney for the District of Montana filed an information against Glacier Dairy, a corporation, Kalispell, Mont., alleging shipment on or about October 8, 1939, and March 24, 1940, from the State of Montana into the State of Washington of quantities of frozen eggs which were adulterated in that they consisted in whole or in part of a decomposed and putrid substance.

On November 13, 1941, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100.

2684. Adulteration of frozen whole eggs. U. S. v. Gold Medal Dairies, Inc. Plea of guilty. Fine, \$500. (F. D. C. No. 4127. Sample No. 12763-E.)

At the June 1941 term of court, the United States attorney for the District of Montana filed an information against Gold Medal Dairies, Inc., Missoula, Mont., alleging shipment on or about May 14, 1940, from the State of Montana into the State of California of a quantity of frozen whole eggs which were adulterated in that they consisted in whole or in part of a decomposed and putrid substance.

On October 8, 1941, the defendant entered a plea of guilty and a fine of \$500 was imposed.

2685. Adulteration of frozen eggs. U. S. v. Idaho Egg Producers. Plea of guilty. Fine, \$100. (F. D. C. No. 5558. Sample No. 53317-E.)

On February 2, 1942, the United States attorney for the District of Idaho filed an information against the Idaho Egg Producers, a corporation, at Caldwell, Idaho, alleging shipment on or about April 8, 1941, from the State of Idaho into the State of California of a quantity of frozen eggs that were adulterated in that they consisted in whole or in part of a filthy, putrid, and decomposed substance. The article was labeled in part: "Idah-O-Best Idaho Egg Producers Frozen Egg Meats Whole Eggs."

On February 10, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100.

2686. Adulteration of frozen eggs. U. S. v. 25 Cans of Whole Eggs. Default decree of condemnation and destruction. (F. D. C. No. 5667. Sample No. 57720-E.)

On September 10, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 25 cans of frozen whole eggs at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about August 15, 1941, by John Coss from East St. Louis, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Whole Eggs 30 Lbs. Net."

On October 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2687. Adulteration and alleged misbranding of frozen eggs. U. S. v. 103 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 5181. Sample No. 60161-E.)

Examination of this product showed the presence of putrid eggs. The cans in which it was contained were unlabeled.

On July 19, 1941, the United States attorney for the Western District of Washington filed a libel against 103 cans of frozen whole eggs at Vancouver, Wash., alleging that the article had been shipped in interstate commerce within the period from on or about February 1 to on or about July 2, 1941, from Port-

land, Oreg., by A. R. Kirk Co.; and charging that it was adulterated and misbranded.

It is alleged to be adulterated in that it consisted in whole or in part of a putrid substance.

It was also alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer or distributor nor an accurate statement of the quantity of the contents. It was alleged to be misbranded further in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law and its label failed to bear the name of the food specified in the definition and standard.

On January 24, 1942, A. R. Kirk having appeared as claimant, judgment was entered finding the product adulterated and ordering that it be condemned, and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The decomposed portion was segregated and destroyed.

2688. Adulteration of frozen eggs. U. S. v. 67 Cans of Frozen Eggs. Default decree of condemnation and destruction. (F. D. C. No. 5225. Sample No. 59001-E.)

On July 24, 1941, the United States attorney for the District of Columbia filed a libel against 67 cans of frozen eggs at Washington, D. C., alleging that the article had been shipped on or about April 8, 1941, by F. M. Stamper Co. from St. Louis, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Whole Eggs 30 Lbs. Net Wt."

On August 15, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2689. Adulteration of frozen eggs. U. S. v. 94 Cans and 84 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond to be reconditioned. (F. D. C. No. 5323. Sample Nos. 60164-E, 60165-E.)

On August 5, 1941, the United States attorney for the District of Oregon filed a libel against 178 30-pound cans of frozen whole eggs at Portland, Oreg., alleging that the article had been shipped on or about April 18 and May 26, 1941, by the Washington Cooperative Poultry Association from Vancouver, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On September 15, 1941, Washington Cooperative Poultry Association having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned under the supervision of the Food and Drug Administration. Subsequently the fit portion was segregated from the unfit and the latter was destroyed.

2690. Adulteration of shell eggs. U. S. v. 12 Crates of Shell Eggs. Consent decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. No. 5272. Sample No. 60464-E.)

On July 31, 1941, the United States attorney for the Eastern District of Washington filed a libel against 12 crates of shell eggs at Vancouver, Wash., alleging that the article had been shipped in interstate commerce on or about July 17, 1941, by A. R. Kirk from Canby, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The used crates containing the eggs were variously labeled.

On January 26, 1942, A. R. Kirk, Vancouver, Wash., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvage of any portion that was fit for food. The claimant was unable to salvage any worthwhile portion and the lot was destroyed.

FISHERIES PRODUCTS

SHELLFISH

2691. Adulteration of crab meat. U. S. v. Octave J. Rabby (Silver Shell Oyster Co.). Tried to the court and a jury. Verdict of guilty. Fine of \$25 remitted. (F. D. C. No. 2924. Sample No. 9771-E.)

This product was contaminated with filth.

On February 7, 1941, the United States attorney for the Southern District of Alabama filed an information against Octave J. Rabby, trading as Silver