

or in part of a decomposed substance. The article was labeled in part: "Whole Eggs \* \* \* Packed By Meridian Produce Co. Meridian, Idaho."

On July 29, 1942, the Meridian Produce Co. of Meridian, Idaho, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration. The unfit portion was segregated and destroyed.

**3926. Adulteration and misbranding of frozen eggs. U. S. v. 162 Cans of Frozen Mixed Egg Whites and Yolks. Default decree of condemnation and destruction. (F. D. C. No. 8017. Sample No. 9001-F.)**

Examination of this product showed the presence of decomposed eggs and also that it contained chicken excreta and large pieces of egg shell.

On July 30, 1942, the United States attorney for the Northern District of Oklahoma filed a libel against 84 unlabeled 30-pound cans of frozen mixed egg whites and yolks at Sapulpa, Okla., alleging that the article had been transported by W. B. Jordan of Jordan Produce Co. from Dallas, Tex.; and charging that it was adulterated and misbranded. On or about August 5, 1942, the libel was amended to cover a total of 162 unlabeled 30-pound cans of frozen eggs.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy and decomposed substance. It was alleged to be misbranded (1) in that it was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; (2) in that it failed to bear a label containing an accurate statement of the quantity of the contents; and (3) in that it failed to bear a label containing the common or usual name of the article.

On August 21, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3927. Adulteration of frozen eggs. U. S. v. 923 Cans and 40 Cans of Frozen Eggs. Consent decrees of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. Part of rejects ordered sold under proper safeguards. (F. D. C. Nos. 7606, 9053. Sample Nos. 94242-E, 6165-F.)**

On June 2 and December 19, 1942, the United States attorney for the Eastern District of Missouri filed libels against a total of 963 cans of frozen eggs at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about April 30 and May 28, 1942, from Ft. Worth, Tex., and Chicago, Ill., by Swift & Co.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Supertex," "Frozen L Mixed Eggs," or "Frozen L Blend-Whites-Yolks."

On July 25, 1942, and January 13, 1943, Swift & Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation, under the supervision of the Food and Drug Administration, of the fit portion from the unfit and destruction of the latter. On November 23, 1942, the 165 cans which had been rejected from the sorting of the 963-can lot were ordered sold, under appropriate safeguards, for nonfood purposes.

**3928. Adulteration and misbranding of frozen egg yolks. U. S. v. 75 Cans of Frozen Egg Yolks. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 7076. Sample No. 31373-E.)**

On March 20, 1942, the United States attorney for the Eastern District of Michigan filed a libel against 75 cans of frozen egg yolks at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about May 10, 1941, by Marshall Kirby & Co. from Terre Haute, Ind.; and charging that it was adulterated and misbranded. The article was labeled in part: "\* \* \* Kirby Quality Frozen Egg Yolks with approx. 10% sugar added."

It was alleged to be adulterated in that a mixture of egg yolks, added egg whites, and approximately 10 percent of sugar had been substituted for yolks with approximately 10 percent of sugar.

It was alleged to be misbranded in that the statement "Frozen Egg Yolks with approx. 10% sugar added" was false and misleading.

On August 7, 1942, Marshall Kirby & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled: "Yolks With Whites Added and 10% Sugar," under the supervision of the Food and Drug Administration.