

to be sold to a rendering plant, and the fats disposed of for technical war purposes.

**4593. Misbranding of oleomargarine. U. S. v. The Miami Margarine Co. Plea of nolo contendere. Fine, \$300.** (F. D. C. No. 7753. Sample Nos. 91963-E, 4555-F, 4556-F, 9208-F.)

On January 12, 1943, the United States attorney for the Southern District of Ohio filed an information against the Miami Margarine Co., a corporation, Cincinnati, Ohio, alleging shipment within the period from on or about June 1 to October 12, 1942, from the State of Ohio into the States of Alabama and Indiana of quantities of oleomargarine that was misbranded. The article was labeled in part: (Cartons) "Nu-Maid Vegetable Oleomargarine One Pound Net Weight," "Delmar Vegetable Oleomargarine," or "Little Sport \* \* \* Vegetable Oleomargarine."

A portion of the article was alleged to be misbranded in that it was in package form and its label failed to bear an accurate statement of the quantity of the contents, since the packages were represented to contain 1 pound net weight, and they contained a less amount. The remainder was alleged to be misbranded in that it purported to be and was represented as oleomargarine, a food for which a definition and standard of identity had been prescribed by regulations as provided by law, and did not conform to such definition and standard of identity since it did not contain 80 percent of fat.

On January 15, 1943, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$300.

### EGGS

**4594. Adulteration of frozen whole eggs. U. S. v. Marshall Kirby & Co., Inc. Plea of guilty. Fine, \$1,000.** (F. D. C. No. 7689. Sample No. 84216-E.)

On April 3, 1943, the United States attorney for the Eastern District of New York filed an information against Marshall Kirby & Co., Inc., a corporation, at New York City, N. Y., alleging shipment on or about December 16, 1941, from the State of New York into the State of New Jersey of a quantity of frozen whole eggs that were adulterated in that they consisted in whole or in part of a decomposed substance.

On April 29, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$1,000.

**4595. Adulteration of frozen whole eggs. U. S. v. Fergus County Creamery. Plea of guilty. Fine, \$50.** (F. D. C. No. 8753. Sample No. 12701-F.)

On January 13, 1943, the United States attorney for the District of Montana filed an information against the Fergus County Creamery, a corporation, at Lewistown, Mont., alleging shipment on or about June 15, 1942, from the State of Montana into the State of Washington of a quantity of frozen eggs that were adulterated in that they consisted in whole or in part of decomposed substances. On January 25, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.

**4596. Adulteration of frozen eggs. U. S. v. The Fairmont Creamery Co. Plea of guilty. Fine, \$50 and costs.** (F. D. C. No. 8786. Sample No. 85692-E.)

On February 4, 1943, the United States attorney for the District of Kansas filed an information against the Fairmont Creamery Co., a corporation at Dodge City, Kans., alleging shipment on or about June 3, 1942, from the State of Kansas into the State of Washington of a quantity of frozen eggs that were adulterated in that they consisted in whole or in part of decomposed substances.

On March 8, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50 and costs.

**4597. Adulteration of frozen eggs. U. S. v. Swift & Co. Plea of nolo contendere. Judgment of guilty. Fine, \$100.** (F. D. C. No. 7737. Sample Nos. 70489-E, 94242-E.)

On December 2, 1942, the United States attorney for the Northern District of Texas filed an information against Swift & Co., a corporation, Fort Worth, Tex., alleging shipment on or about July 23, 1941, and April 30, 1942, from the State of Texas into the States of Missouri and Florida of quantities of frozen eggs that were adulterated in that they consisted in whole or in part of decomposed substances. The article was labeled in part: "L Mixed Eggs," "Blend—Whites-Yolks Mixed," or "Frozen Whole Eggs."

On February 24, 1943, a plea of nolo contendere having been entered, the court found the defendant guilty and imposed a fine of \$100.