

ALLEGED SHIPMENT: On or about August 8 and 14, 1944, by the Saline County Milk Producers Association (Central Missouri Milk Producers), Marshall, Mo.
PRODUCT: 114 190-pound drums of dried skim milk, at Kansas City, Kans.
LABEL, IN PART: "Roller Process Dried Skim Milk (For Human Consumption)
 * * * Swift & Co. Kansas City, Kan."

VIOLATION CHARGED: Misbranding, Section 403 (g) (1), examination showed that the article was made from neutralized sour skim milk, and therefore failed to meet the definition and standard of identity for nonfat dry milk solids or defatted milk solids as prescribed by law.

DISPOSITION: December 8, 1944. The Central Missouri Milk Cooperative, claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

7246. Misbranding of dry milk solids. U. S. v. 200 Pounds of Dry Milk Solids. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13753. Sample No. 61641-F.)

LIBEL FILED: September 28, 1944, Northern District of Alabama; amended September 29, 1944, to cover seizure of additional lot.

ALLEGED SHIPMENT: On or about July 15, 1944, by Ward Milk Products Division, Pontotoc, Miss.

PRODUCT: 268 barrels, each containing about 200 pounds, of dry milk solids, at Birmingham, Ala.

LABEL, IN PART: "Lacalac Dry Milk Solids."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the label statement, "Made to comply with high standards by laboratory controlled manufacturing methods," was false and misleading as applied to the article, which was made from neutralized sour skim milk; Section 403 (g) (1), the article purported to be nonfat dry milk solids or defatted milk solids, but it failed to conform to the definition and standard of identity prescribed by the regulations for such food since it was not made from sweet milk of cows, but was made from neutralized sour skim milk; and, Section 403 (g) (2), its label failed to bear the name of the food specified in the definition and standard.

DISPOSITION: October 14, 1944. The Pontotoc Dairies, Pontotoc, Miss., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

7247. Misbranding of nonfat dry milk solids. U. S. v. 25 Cartons of Nonfat Dry Milk Solids. Decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 13894. Sample No. 87459-F.)

LIBEL FILED: October 5, 1944, District of Minnesota.

ALLEGED SHIPMENT: On or about July 26 and August 5, 1944, by the Alma Dairy Products Association, from Alma, Wis.

PRODUCT: 25 cartons, each containing 125 pounds, of nonfat dry milk solids, at Duluth, Minn.

LABEL, IN PART: "Nonfat Dry Milk Solids-Roller Process."

VIOLATION CHARGED: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity prescribed by the regulations, which require that nonfat dry milk solids or defatted milk solids be made from sweet milk of cows, since the product was made from neutralized sour skim milk.

DISPOSITION: October 25, 1944. The Alma Dairy Products Association, claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured.

EGGS

7248. Adulteration and misbranding of frozen whole eggs. U. S. v. Marshfield Dairy Products Co. Plea of nolo contendere to the adulteration charges and guilty to the misbranding charges. Fine of \$100 on each count, a total of \$400. (F. D. C. No. 11435. Sample Nos. 1471-F, 38828-F.)

INFORMATION FILED: September 8, 1944, Western District of Wisconsin, against the Marshfield Dairy Products Co., a corporation, Marshfield, Wis.

ALLEGED SHIPMENT: On or about October 15, 1943, and March 14, 1944, from the State of Wisconsin into the States of Illinois and Indiana.

LABEL, IN PART: (Portion) "Whole Eggs 30 Lbs. Net Wt."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid and decomposed substance by reason of the presence of sour, putrid, and decomposed eggs.

Misbranding, Section 403 (e) (1), (all lots), the article was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor. Further misbranding (Indiana lot), Section 403 (e) (2), it failed to bear a label containing a statement of the quantity of the contents; and, Section 403 (g) (2), it was a food for which a definition and standard of identity has been prescribed by the regulations, but it failed to bear a label containing the name of the food specified in the definition and standard.

DISPOSITION: October 6, 1944. A plea of nolo contendere having been entered as to the adulteration charges, and a plea of guilty as to the misbranding charges, a fine of \$100 on each count, a total of \$400, was imposed against the defendant.

7249. Adulteration of frozen whole eggs. U. S. v. Harry Atlas' Sons, Inc., and Sigmund Atlas. Pleas of guilty. Corporation and individual defendant each fined \$500. Prison sentence suspended and individual defendant placed on 6 months' probation. (F. D. C. No. 7318. Sample Nos. 74873-E, 74874-E.)

INFORMATION FILED: October 6, 1944, Southern District of New York, against Harry Atlas' Sons, Inc., New York, N. Y., and Sigmund Atlas, vice president, charging that the defendants caused a quantity of eggs to be introduced into interstate commerce by the Produce Terminal Storage Co., from Chicago, Ill., to Hartford, Conn., on or about October 17, 1941.

LABEL, IN PART: "Whole Eggs * * * Packed By Blue Star Produce, Inc. Offices—Council Bluffs, Iowa."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 8, 1944. Pleas of guilty having been entered on behalf of the defendants, the corporation and the individual were each fined \$500. Prison sentence was suspended with respect to the individual defendant, and he was placed on 6 months' probation.

7250. Adulteration of frozen whole eggs. U. S. v. 1,600 Cartons of Frozen Whole Eggs (and 1 other seizure action against frozen whole eggs). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14813, 14935. Sample Nos. 61865-F, 61866-F, 96816-F.)

LIBELS FILED: On or about December 21, 1944, and January 4, 1945, Northern District of Texas.

ALLEGED SHIPMENT: Between the approximate dates of November 24 and December 8, 1944, by the B. J. Holmes Sales Co., San Francisco, Calif.

PRODUCT: 4,633 30-pound cartons of frozen whole eggs at Fort Worth, Tex.

LABEL, IN PART: "Holmestead Brand Frozen Whole Eggs."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 26, 1944, and January 4, 1945. The Rubenstein Produce Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for the segregation of the good from the bad, under the supervision of the Food and Drug Administration.

7251. Adulteration of frozen whole eggs. U. S. v. 116 Cartons and 1,100 Cartons of Frozen Whole Eggs. Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 13796, 13821. Sample Nos. 63363-F, 63375-F, 63377-F.)

LIBELS FILED: September 18 and 25, 1944, Northern District of Georgia.

ALLEGED SHIPMENT: On or about April 19 and June 21, 1944, by Wilson & Co., from Murfreesboro, Tenn.

PRODUCT: 1,216 30-pound cartons of frozen whole eggs at Atlanta, Ga.

LABEL, IN PART: "Frozen Whole Eggs Frose Fresh."