On March 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 150 sacks of Molo dairy feed at Columbus, Wis., alleging that the article had been shipped by the Molo Feed Mills from St. Paul, Minn., September 2, 1930, and had been transported from the State of Minnesota into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Molo Dairy Feed, Manufactured by Molo Feed Mills, St. Paul, Minn., Protein Not less than 16%, * * * Fiber not to exceed 12%."

It was alleged in the libel that the article was misbranded in that the statements on the label, "Protein not less than 16%" and "Fiber not to exceed 12%," were false and misleading, since the article contained less than 16 per cent of protein and more than 12 per cent of fiber.

On May 11, 1931, F. A. Tuschen, Sun Prairie, Wis., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of $500, conditioned in part that it be relabeled, the court having found that the product might be legally sold if labeled, "Protein not less than 14½%" and "Fiber not to exceed 15$\frac{3}{10}$%."

ARTHUR M. HYDE, *Secretary of Agriculture.*

18449. Adulteration and misbranding of canned frozen whole eggs. U. S. v. 152 Cans of Frozen Whole Eggs, et al. Product ordered released under bond to be reconditioned. (F. & D. Nos. 26148, 26173. I. S. Nos. 28329, 28337. S. Nos. 4459, 4506.)

Samples of canned frozen eggs from the shipments herein described having been found to be decomposed, and certain portions having been found to bear no declaration of the quantity of the contents on the label, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On March 31 and April 6, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 443 cans of frozen eggs, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Alex Wilson Co., from Cincinnati, Ohio, consigned in part on December 8, 1930, and in part on February 23, 1931, and had been transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding with respect to a portion of the article, and adulteration with respect to the remainder, in violation of the food and drugs act as amended. A portion of the article was labeled in part: "Wilson's Quality Whole Eggs Net Wt. 30 Lbs. When Packed The Alex Wilson Co., Cincinnati, Ohio." The remainder of the said article was unlabeled except for storage marks.

Adulteration was alleged in the libel filed with respect to a portion of the article for the reason that it consisted in part of a decomposed animal substance, and with respect to the remainder for the reason that it consisted in part of a decomposed and putrid animal substance.

Misbranding was alleged with respect to portions of the article for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 29, 1931, R. C. Austin and E. H. Meyer, Pittsburgh, Pa., claimants, having admitted the allegations of the libels and having consented to the entry of decrees of condemnation and forfeiture, judgments were entered ordering that the product be released to the said claimants upon payment of costs and the execution of bonds totaling $1,000, conditioned in part that the fit portions be segregated and relabeled under the supervision of this department, and that the unfit portions be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18450. Misbranding of frozen whole eggs. U. S. v. 24 Cans of Frozen Whole Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26147. I. S. No. 27894. S. No. 4460.)

Examination of the frozen whole eggs from the shipment herein described having shown that portions of the article were decomposed, also that the can labels bore no declaration of the quantity of the contents, the Secretary of Agri-