On June 2, 1941, pleas of guilty having been entered, the court imposed a fine of $200 against the corporation and $100 against each of the individual defendants. Costs also were imposed.

1562. Adulteration and misbranding of frozen whole eggs. U. S. v. Swift & Co. Plea of nolo contendere. Fine, $200. (F. D. C. No. 2977. Sample Nos. 9849–E, 9855–E, 9860–E.)

Analysis showed that this product was a mixture of whole eggs and egg whites.

On May 21, 1941, the United States attorney for the Southern District of Texas filed an information against Swift & Co., a corporation having a place of business at Houston, Tex., alleging shipment on or about July 15, 1940, from the State of Texas into the State of Illinois of a quantity of whole eggs that were adulterated and misbranded.

The article was alleged to be adulterated in that a mixture of whole eggs and egg whites had been substituted wholly or in part for whole eggs, which it purported to be.

It was alleged to be misbranded in that it purported to be or was represented as frozen whole eggs, a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but did not conform to such definition and standard of identity in that the regulations prescribe that frozen whole eggs are the food prepared by freezing liquid eggs and that liquid eggs are eggs of the domestic hen broken from the shells and with yolks and whites in their natural proportion as so broken; whereas the article had not been prepared as required by said regulations but had been prepared by freezing a mixture of liquid eggs and added egg whites.

On June 25, 1941, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $200.

1563. Adulteration of frozen eggs. U. S. v. Wilson & Co., Inc. Plea of guilty. Fine, $200. (F. D. C. No. 2949. Sample No. 349–E.)

This product was in whole or in part decomposed.

On March 11, 1941, the United States attorney for the Northern District of Illinois filed an information against Wilson & Co., Inc., Chicago, Ill., alleging shipment on or about February 27, 1940, from the State of Illinois into the State of North Carolina of a quantity of frozen eggs that were adulterated in that they consisted in whole or in part of a putrid or decomposed substance or were otherwise unfit for food.

On June 13, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $200.

1564. Adulteration of frozen whole eggs. U. S. v. 1,000 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for salvaging fit portion. (F. D. C. No. 3363. Sample No. 8947–E.)

Examination showed the presence of decomposed eggs in this shipment.

On November 11, 1940, the United States attorney for the District of Minnesota filed a libel against 1,000 cans of frozen whole eggs at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about August 7, 1940, by the Fargo Creamery & Produce Co: from Fargo, N. Dak.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On December 16, 1940, the DeSoto Creamery & Produce Co., of Minneapolis, Minn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that only the fit portion be disposed of for human consumption.

1565. Adulteration of frozen eggs. U. S. v. 200 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 4738. Sample No. 53317–E.)

Examination of this product showed the presence of decomposed eggs.

On May 8, 1941, the United States attorney for the Southern District of California filed a libel against 200 cans of frozen eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 8, 1941, by the Idaho Egg Producers from Caldwell, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Idaho Best Frozen Egg Meats."

On May 26, 1941, R. E. Bivens, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemna-