It was alleged to be misbranded in that the following statements and designs in the labeling were false and misleading as applied to an article that had none of the characteristic properties of eggs: (Envelopes and 4-ounce packages) "Eggine * * * Use the Same Way as Eggs For Baking and Cooking * * * Complies With The Pure Food Law," (circular in envelopes) "Eggine Used for BaKing and Cooking Same As Eggs * * * It can, in fact, be used instead of eggs in practically all kinds of cooking and baking," (display card, bearing the design of a hen and egg, enclosed in carton of 12 4-ounce packages) "Eggine Egg Substitute * * * Used the Same as Eggs for Baking And Cooking 25¢ Can Takes the Place of 3 Doz. Always Fresh * * * Very Economical Eggs Less than 9¢ a Doz.," (display sheet enclosed in display cartons) "Eggine Used the Same as Eggs in Baking and Cooking * * * Always Fresh and Reliable." It was alleged to be misbranded further in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

On June 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FISH AND SHELLFISH

CANNED FISH

5184. Adulteration of canned salmon. U. S. v. 316 Cases of Canned Salmon. Decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 9902. Sample No. 19626–F.)

On May 7, 1943, the United States attorney for the District of Massachusetts filed a libel against 316 cases, each containing 48 cans, of salmon at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about February 9, 1943, by Whitney & Co. from Seattle, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Golden Shore Brand Alaska Salmon."

On July 12, 1943, Whitney & Co. having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the decomposed portion, under the supervision of the Food and Drug Administration.

FRESH FISH

5185. Adulteration of haddock fillets. U. S. v. 15 Barrels of Haddock Fillets. Default decree of condemnation and destruction. (F. D. C. No. 9960. Sample No. 21847–F.)

On May 17, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against 15 barrels, each containing 5 20-pound cartons, of haddocks fillets at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about May 10, 1943, by the Cape Ann Fisheries, Inc., from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5186. Adulteration of ocean pout fillets. U. S. v. 462 Pounds of Ocean Pout Fillets. Default decree of condemnation. Product ordered sold for manufacture into poultry feed. (F. D. C. No. 9906. Sample Nos. 42230–F, 42263–F.)

On or about May 10, 1943, the United States attorney for the Southern District of Ohio filed a libel against 462 pounds of ocean pout fillets at Dayton, Ohio, which had been consigned on or about April 27, 1943, alleging that the article had been shipped in interstate commerce by the Wamsutta Fillet Corporation from New Bedford, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, parasitized and diseased ocean pout fillets, and in that it was in whole or in part the product of diseased animals.

On June 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold to a poultry feed company to be made into poultry feed.