DISPOSITION: December 27, 1943. No claimant having appeared, a decree of condemnation was entered. The product was ordered sold to a rendering plant to be denatured so that it could not be used for human consumption.

EGGS AND EGG PRODUCTS

5863. Adulteration of dried whole egg. U. S. v. 2 Barrels of Dried Whole Egg. Default decree of condemnation. Product ordered delivered to a Federal correctional institution. (F. D. C. No. 11488. Sample No. 66196–F.)

LIBEL FILED: December 24, 1943, Southern District of New York.

ALLEGED SHIPMENT: On or about June 21 and July 6, 1943, by the Blue Sea Fish Co., Teaneck, N. J.

PRODUCT: 2 barrels of dried whole egg at Bronx, N. Y.

LABEL, IN PART: "Egg Grade A * * * Advance Foods Corp. Centerville, Ind.," or "Spray Whole Egg * * * Marshall Kirby & Co. Inc. Terre Haute, Ind."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, vegetable fibers, pieces of wood, cinders, and dirt.

DISPOSITION: January 26, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On February 8, 1944, an order was entered vacating the order of destruction and directing the delivery of the product to a Federal institution, for use as hog feed.

5864. Adulteration of frozen whole eggs. U. S. v. 45 Cartons of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released for segregation of the fit portion from the unfit portion. (F. D. C. No. 11057. Sample No. 3928–F.)

LIBEL FILED: November 4, 1943, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 11, 1943, by Rothenberg and Schneider Bros., Inc., Chicago, Ill.

PRODUCT: 45 30-pound cartons of frozen whole eggs at Kansas City, Mo.

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

DISPOSITION: December 13, 1943. Rothenberg & Schneider Bros., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit, under the supervision of the Food and Drug Administration. The unfit portion was denatured.

5865. Adulteration of frozen whole eggs. U. S. v. 650 Cans and 550 Cans of Frozen Eggs. Decree of condemnation. Product ordered released under bond for segregation and destruction or denaturing of unfit portion. (F. D. C. No. 11214. Sample No. 56918–F.)

LIBEL FILED: December 2, 1943, Eastern District of New York.

ALLEGED SHIPMENT: On various dates from May to October, 1943, by Benjamin Rutstein (also known as I. B. Rutstein), Hoboken, N. J.

PRODUCT: 1,200 30-pound cans of frozen whole eggs at Brooklyn, N. Y.

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

DISPOSITION: January 20, 1944. Herman Lerich, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction or denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

5866. Adulteration of frozen whole eggs. U. S. v. 409 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 10669. Sample No. 44684–F.)

LIBEL FILED: September 8, 1943, District of New Jersey.

ALLEGED SHIPMENT: On or about June 24, 1943, by the Ballas Egg Products Corporation, Zanesville, Ohio.

PRODUCT: 409 cans of frozen whole eggs at Jersey City, N. J.

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