7255. Adulteration of frozen whole eggs. U. S. v. 1,549 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13671. Sample No. 61820–F.)

LIBEL FILED: On or about September 15, 1944, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 15, 1944, by the Bestwest Produce Co., from Milwaukee, Wis.

PRODUCT: 1,549 30-pound cans of frozen whole eggs at Dallas, Tex.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of decomposed eggs, and was unfit for human consumption.

DISPOSITION: October 5, 1944. Rothenberg & Schneider Bros., Inc., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for salvaging and separating the good from the bad portion, under the supervision of the Food and Drug Administration. The bad portion was destroyed.

7256. Adulteration of frozen egg yolks. U. S. v. 550 Cans of Frozen Egg Yolks. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14009. Sample No. 82717–F.)

LIBEL FILED: October 4, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about August 5, 1944, by Marshall Kirby & Co., Inc., Terre Haute, Ind.

PRODUCT: 550 30-pound cans of frozen egg yolks, at Brooklyn, N. Y.

LABEL, IN PART: "Kirby Kuality Frozen Egg Yolks."

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

DISPOSITION: October 20, 1944. Marshall Kirby & Co., Inc., 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 of the unfit portion, under the supervision of the Federal Security Agency.

7257. Adulteration of dried whole egg powder. U. S. v. 310 Cartons of Dried Whole Egg Powder. Decree of condemnation. Product ordered delivered to a Federal institution, for use as stock feed. (F. D. C. No. 8939. Sample Nos. 17107–F, 17119–F.)

LIBEL FILED: December 2, 1942, Northern District of New York.

ALLEGED SHIPMENT: On or about August 30, 1942, by Domestic Egg Products, Inc., Chickasha, Okla.

PRODUCT: 310 cartons, each containing 6 3-pound cans, of dried whole egg powder at New Berlin, N. Y.

LABEL, IN PART: "Spray Dried Whole Egg Powder * * * Domestic Egg Products, Inc. A Subsidiary of Doughnut Corporation of America."

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

DISPOSITION: October 16, 1944. The claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a Federal institution, to be used for stock feed.

FEEDS AND GRAINS

7258. Misbranding of alfalfa meal. U. S. v. Fairbury Mills Co. Plea of nolo contendere. Fine, $50 and costs. (F. D. C. No. 12564. Sample No. 26293–F.)

INFORMATION FILED: September 9, 1944, District of Nebraska, against the Fairbury Mills Co., a corporation, Fairbury, Nebr.

ALLEGED SHIPMENT: On or about October 14, 1943, from the State of Nebraska into the State of Kansas.

LABEL, IN PART: "Fine Ground Alfalfa Meal Guaranteed Analysis Protein, Minimum . . . 17.0% * * * Fibre, Maximum . . . 28.0%."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statements, "Protein Minimum . . . 17.0% * * * Fibre, Maximum . . . 28.0%," were false and misleading since the article contained not more than 13.31 percent of protein, and not less than 32.72 percent of fiber.

DISPOSITION: October 25, 1944. A plea of nolo contendere having been entered, the defendant was fined $50 and costs.