

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance.

DISPOSITION: March 9, 1945. A. E. Mills & Son, Inc., Boston, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation of the unfit portion, under the supervision of the Food and Drug Administration.

8717. Adulteration of frozen eggs. U. S. v. 109 Cans and 75 Cans of Frozen Eggs. One lot condemned and ordered converted into animal feed or destroyed; portion of remaining lot ordered disposed of as stock feed; remainder ordered released. (F. D. C. Nos. 13683, 14769. Sample Nos. 87340-F, 97703-F.)

LIBELS FILED: September 13 and December 14, 1944, District of Minnesota.

ALLEGED SHIPMENT: Between the approximate dates of July 3 and 24, 1944, by the North American Creameries, Inc., from Watertown, S. Dak.

PRODUCT: 75 30-pound cans of frozen eggs at Duluth, Minn., and 109 30-pound cans of frozen eggs at Minneapolis, Minn.

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

DISPOSITION: On February 2, 1945, upon motion of the North American Creameries, Inc., claimant for the Minneapolis lot, the court ordered that each can of the Minneapolis lot be examined by representatives of the Government and the claimant, in order to determine the fitness of the product for human consumption, and that a detailed report be made to the court. On April 28, 1945, the court denied a motion by the Government to set aside the order of February 2, 1945. On June 29, 1945, 88 cans, the portion found to be fit, were ordered released to the claimant, and the remaining cans were ordered destroyed. On July 27, 1945, by amended order, the product in the remaining cans was ordered denatured and disposed of as stock feed. No claimant having appeared for the Duluth lot, judgment of condemnation was entered on June 13, 1945, and the product was ordered destroyed unless properly converted into animal feed, under the supervision of the Food and Drug Administration.

8718. Adulteration of frozen egg whites. U. S. v. 1,032 Cans of Frozen Egg Whites. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15264. Sample No. 11505-H.)

LIBEL FILED: February 12, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about June 20, 1944, by the Distribution Terminal Warehouse Co., from Cleveland, Ohio.

PRODUCT: 1,032 30-pound cans of frozen egg whites at Worcester, Mass.

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

DISPOSITION: April 27, 1945. The Hathaway Bakeries, Inc., Cambridge, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

8719. Adulteration of shell eggs. U. S. v. 75 Cases of Shell Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15289. Sample No. 6147-H.)

LIBEL FILED: February 24, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about December 31, 1944, by the Bowser Sales and Trading Co., from Parkersburg, W. Va.

PRODUCT: 75 cases, each containing 30 dozen, of shell eggs at Jersey City, N. J.

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

DISPOSITION: April 2, 1945. Carl Ahlers, Inc., 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, conditioned that the unfit portion be segregated and denatured, or destroyed, under the supervision of the Food and Drug Administration.