

PRODUCT: 59 cases, each containing 32 1-pound prints, of butter at Horseheads, N. Y.

LABEL, IN PART: "Capital Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance. (Examination disclosed that the product was decomposed and contained filth.)

DISPOSITION: September 15, 1952. Default decree of condemnation and destruction.

19365. Adulteration of preserved butter. U. S. v. 118 Cases * * *. (F. D. C. No. 33319. Sample No. 2128-L.)

LIBEL FILED: June 30, 1952, Western District of North Carolina.

ALLEGED SHIPMENT: On or about April 25, 1952, by the R. T. Overstreet Co., from Norfolk, Va.

PRODUCT: 118 cases, each containing 8 6-pound, 4-ounce cans, of preserved butter at Shelby, N. C.

LABEL, IN PART: (Can) "Preserved Butter (Carter's Spread)."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of rancidity, and it was otherwise unfit for food by reason of its discoloration; and, Section 402 (b) (2), a product containing a vegetable oil had been substituted for butter.

DISPOSITION: November 17, 1952. The Shelby Creamery Co., Shelby, N. C., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, for conversion for nonfood purposes, under the supervision of the Federal Security Agency.

19366. Adulteration and misbranding of butter. U. S. v. 10 Cartons (520 pounds) * * *. (F. D. C. No. 33273. Sample No. 24221-L.)

LIBEL FILED: May 26, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about April 30, 1952, by the Sunny Brook Dairy Co., from Saratoga Springs, N. Y.

PRODUCT: 10 cartons, each containing 52 pounds, of a mixture of butter and oleomargarine at Newark, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), colored oleomargarine had been substituted in whole or in part for butter.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, namely butter.

DISPOSITION: September 2, 1952. Default decree of condemnation. The court ordered that samples of the product be retained by the Food and Drug Administration and that the remainder be delivered to charitable organizations.

EGGS

19367. Adulteration of frozen eggs. U. S. v. Armour & Co. (Wist Produce Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 31567. Sample Nos. 9691-L, 9692-L.)

INFORMATION FILED: July 17, 1952, District of South Dakota, against Armour & Co., a corporation, trading as the Wist Produce Co., Webster, S. Dak.

ALLEGED SHIPMENT: On or about May 23, 1951, from the State of South Dakota into the State of Illinois.

LABEL, IN PART: "Frozen Egg Whites And Yolks Mixed Armour Cloverbloom."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: November 18, 1952. A plea of guilty having been entered, the court fined the defendant \$25.

19368. Adulteration of frozen eggs. U. S. v. 140 Cans * * *. (F. D. C. No. 33388. Sample No. 42305-L.)

LIBEL FILED: June 16, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about May 31, 1952, by the D. M. Edmonds Co., from Salt Lake City, Utah.

PRODUCT: 140 30-pound cans of frozen eggs at San Francisco, Calif.

LABEL, IN PART: "Whole Eggs * * * Brysons Salt Lake City."

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

DISPOSITION: August 14, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, for the segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 54 cans of the product were salvaged and 86 cans were destroyed.

19369. Adulteration of frozen eggs. U. S. v. 39 Cans * * *. (F. D. C. No. 33432. Sample No. 27774-L.)

LIBEL FILED: July 1, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 26, 1951, by the Producers Produce Co., from Springfield, Mo.

PRODUCT: 39 30-pound cans of frozen eggs at Stockton, Calif.

LABEL, IN PART: (Can) "Whole Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: August 14, 1952. The Poultry Producers of Central California, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the fit be segregated from the unfit, under the supervision of the Food and Drug Administration. Of the 37 cans seized, 23 were found unfit and were destroyed and the remainder were released.

FISH AND SHELLFISH

19370. Adulteration of canned herring roe. U. S. v. 24 Cases, etc. Claimant's motion denied for dismissal of libel against 24-case lot. Decree of condemnation and destruction. (F. D. C. No. 26385. Sample Nos. 5539-K, 39301-K.)

LIBEL FILED: January 6, 1949, District of Maine.