

intervals; that such products were adulterated within the meaning of 402 (a) (3) and (4) in that they contained barnyard manure, flies, dirt, rust, animal hairs, pus from infected cow udders, and other filthy and deleterious substances unfit for food; and that they had been prepared, processed, and manufactured under insanitary conditions whereby they may have become contaminated with filth.

The complaint alleged further that inspections made by inspectors of the Food and Drug Administration had revealed the existence of insanitary conditions in defendant's plant; that the defendant had been warned to remedy the defects existing in his method of making, processing, and manufacturing such products, and had been warned not to ship adulterated products in interstate commerce in violation of the Federal Food, Drug, and Cosmetic Act; that notwithstanding such warnings, the defendant had failed to remedy the objectionable conditions and continued to make, process, and manufacture cheese and milk products under insanitary conditions; and that the defendant continued and, unless restrained, would continue to ship such products and offer them for shipment and introduction into interstate commerce.

DISPOSITION: On 2-14-45, the court issued a temporary injunction enjoining the defendant from shipping or introducing into interstate commerce any cheese or other milk products prepared, processed, or manufactured in his Odebolt plant, pending further hearing and order of the court. Thereafter, the defendant having gone out of business, the court entered an order on 5-22-45 dissolving the temporary injunction.

23417. Butter. (F. D. C. No. 35845. S. No. 61-725 L.)

QUANTITY: 16 66-lb. cartons at Kansas City, Mo.

SHIPPED: 7-22-53, from Salina, Kans., by Harding Cream Co.

LABEL IN PART: (Carton) "199085 Ice Cream Sweet."

LIBELED: On or about 9-18-53, W. Dist. Mo.

CHARGE: 402 (a) (3)—contained filthy substance when shipped.

DISPOSITION: 11-6-53. Default—converted to animal feed.

EGGS

23418. Shell eggs and frozen eggs. (Inj. No. 86.)

COMPLAINT FOR INJUNCTION FILED: 3-5-45, N. Dist. W. Va., against Bowser Sales & Trading Corp., Sistersville, W. Va., and William H. Bowser, principal stockholder and directive head of the corporation.

CHARGE: The complaint alleged that the defendants, at the time of filing the complaint, had been buying and storing shell eggs and had been breaking, packaging, and freezing whole eggs under insanitary and unhealthful conditions whereby the eggs were contaminated with filth; that the eggs consisted in part of a filthy and decomposed substance which was unfit for food and were adulterated within the meaning of 402 (a) (3) and (4); that the eggs were being prepared by the defendants at their Sistersville plant and were being stored at that plant and at a commercial cold storage plant at Parkersburg, W. Va.; and that the Government was informed and believed that the eggs were being prepared and stored for shipment in interstate commerce.

DISPOSITION: On 3-5-45, the court issued a temporary restraining order enjoining the defendants from shipping or offering for shipment in interstate commerce shell eggs and frozen eggs from their Sistersville plant and from