

**5510. Misbranding of eggs. U. S. \* \* \* v. Golden & Co., a corporation. Plea of nolo contendere. Fine, \$150. (F. & D. No. 8249. I. S. No. 3801-m.)**

On June 11, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Golden & Co., a corporation, Washington, D. C., alleging the sale by said company, in violation of the Food and Drugs Act, on December 20, 1916, at the District aforesaid, of a quantity of an article labeled in part, "Fresh \* \* \* eggs \* \* \*," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed enlarged air chambers in all the eggs, crystals indicating cold-storage product present. One heavy spot and two eggs with yolks sticking to shell found.

Misbranding of the article was alleged in the information for the reason that the statement concerning said article and the ingredients and substances contained therein, appearing on its label, to wit, "Fresh," was false and misleading in that it represented to purchasers that said article consisted of fresh eggs; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of fresh eggs, whereas, in fact and in truth, it consisted of eggs which were not fresh. On June 11, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$150.

*CARL VROOMAN, Acting Secretary of Agriculture.*