

containing less than 80 percent by weight of milk fat had been substituted for butter.

On February 27, 1941, the Olathe Creamery & Produce Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be brought into compliance with the law. The butter was reworked to the legal standard.

1443. Adulteration and misbranding of butter. U. S. v. 5 $\frac{3}{15}$ Cases and 4 $\frac{5}{8}$ Cases of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4208. Sample Nos. 43242-E, 43243-E.)

On March 11, 1941, the United States attorney for the Northern District of Oklahoma filed a libel against the above-named quantities of butter at Miami, Okla., alleging that the article had been shipped in interstate commerce within the period from on or about February 25 to on or about March 2, 1941, by the Puritan Dairy Products Co. from Pittsburg, Kans.; and charging that it was adulterated and misbranded. The article was labeled in part: "Puritan Brand."

It was alleged to be adulterated in that a valuable constituent, milk fat, had been in part omitted therefrom; and in that an article containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter"; whereas it was not butter as defined by law.

On March 14, 1941, the Puritan Dairy Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be disposed of in violation of the law.

1444. Adulteration of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4812. Sample No. 62202-E.)

On April 30, 1941, the United States attorney for the Northern District of Illinois filed a libel against 14 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 21, 1941, by the Spring Grove Cooperative Creamery from Spring Grove, Minn.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Butter Distributed by H. C. Christians Co. Chicago."

On May 7, 1941, H. C. Christians Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain not less than 80 percent of milk fat.

1445. Adulteration of butter. U. S. v. 1 Box and 5 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 4551. Sample No. 47173-E.)

On or about April 16, 1941, the United States attorney for the Northern District of Illinois filed a libel against 6 boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 31, 1941, by the United Creameries Service from Omaha, Nebr.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Butter Peter Fox Sons Co. Distributors * * * Chicago."

On May 3, 1941, the Peter Fox Sons Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain not less than 80 percent of milk fat.

EGGS

1446. Adulteration of shell eggs. U. S. v. Louis Klass (Klass Produce Co.). Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 2882. Sample No. 4554-E.)

This product contained about 21 percent of decomposed eggs.

On January 8, 1941, the United States attorney for the Northern District of Iowa filed an information against Louis Klass, trading at Klass Produce Co. at Sioux City, Iowa, alleging shipping on or about July 30, 1940, from the State of Iowa into the State of Illinois of a quantity of shell eggs that were

adulterated in that they consisted in whole and in part of a decomposed substance.

On January 8, 1941, a plea of guilty having been entered by the defendant, the court imposed a fine of \$25 and costs.

1447. Adulteration of frozen eggs. U. S. v. 1,250 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 2014. Sample Nos. 7553-E, 7837-E.)

This product was in part putrid, musty, or sour.

On May 23, 1940, the United States attorney for the Southern District of California filed a libel against 1,250 cans of frozen whole eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 24, 1940, by Wilson & Co., Inc., from Amarillo, Tex.; and charging that it was adulterated in that it contained a putrid or decomposed substance and was unfit for food in that it contained putrid, musty, and sour eggs.

On June 4, 1940, Wilson & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. All cans were examined and the unfit were segregated and destroyed.

FISHERIES PRODUCTS

CRAB MEAT

1448. Adulteration of crab meat. U. S. v. Carroll F. Gollott (C. F. Gollott Sea-food Co.). Plea of guilty. Fine of \$10 and 60 days in jail. Both suspended, and defendant placed on probation for 12 months. (F. D. C. No. 2844. Sample No. 35002-E.)

This product contained fecal *Escherichia coli*.

On February 4, 1941, the United States attorney for the Southern District of Mississippi filed an information against Carroll F. Gollott, trading as C. F. Gollott Sea-food Co. at Biloxi, Miss., alleging shipment on or about June 11, 1940, from the State of Mississippi into the State of Maryland of a quantity of crab meat which was adulterated in that it consisted in whole and in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On February 17, 1941, a plea of guilty having been entered, the court imposed a fine of \$10 and sentenced the defendant to 60 days in jail. Both fine and jail sentence were suspended and the defendant was placed on probation for 12 months.

FROZEN FISH

Nos. 1449 to 1455, inclusive, report the seizure and disposition of frozen fish that was in whole or in part decomposed.

1449. Adulteration of frozen cod fillets. U. S. v. 81 Boxes of Frozen Fillets. Default decree of condemnation and destruction. (F. D. C. No. 3336. Sample Nos. 39522-E, 39523-E, 39528-E, 39529-E.)

On November 4, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 81 boxes of frozen fillets at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about August 12, 1940, by the Gloucester Fresh Fish Co., from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Northeast Skin Cod Fillets."

On November 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1450. Adulteration of hake and cod fillets. U. S. v. 13 Boxes of Hake and 23 Boxes of Cod. Default decree of condemnation and destruction. (F. D. C. No. 3349. Sample Nos. 39536-E to 39539-E, incl.)

On November 6, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 36 boxes of frozen fish at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 7, 1940, by the Star Fish Co. from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On November 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.