

On October 2, 1942, the consignee having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered ordering that the product be destroyed.

**4373. Adulteration of cream. U. S. v. 3 10-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. D. C. No. 8677. Sample No. 15305-F.)**

This product contained filth such as hairs similar to cat hairs, a fly, a spider, plant fibers, manure, and nondescript dirt.

On October 16, 1942, the United States attorney for the District of Colorado filed a libel against 3 10-gallon cans of cream at Colorado Springs, Colo., alleging that the article had been shipped in interstate commerce on or about October 12, 1942, by O. S. Reed from Amarillo, Texas; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 16, 1942, the consignee having admitted the allegations of the libel and having consented to the immediate destruction of the product, judgment was entered ordering that it be destroyed.

**4374. Adulteration and misbranding of condensed milk. U. S. v. 53 Cans of Condensed Sweetened Whole Milk. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 8436. Sample No. 14416-F.)**

This product contained less than 8.5 percent milk fat.

On September 28, 1942, the United States attorney for the Southern District of California filed a libel against 53 cases, each case containing 48 cans, of condensed sweetened whole milk at Vernon, Calif., alleging that the article had been shipped in interstate commerce on or about November 17, 1941, by Dietetic Laboratories, from New York, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: (Cans) "Condensed Sweetened Whole Milk \* \* \* Prepared for the: 'Friesland' Coop. Condensed Milk Factory Leeuwarden-Holland."

The article was alleged to be adulterated in that a product deficient in milk fat had been substituted wholly or in part for sweetened condensed milk, which it purported to be.

It was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, and it failed to conform to such definition and standard since it contained less than 8.5 percent milk fat, and such definition and standard provides that sweetened condensed milk should contain not less than 8.5 percent milk fat.

On October 29, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to one or more local charitable institutions.

**4375. Adulteration of ice cream mix. U. S. v. 24 Cases of Strawberry Flavor Brill's E-Z Freez. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 8679. Sample No. 21319-F.)**

This product contained strawberry seeds in much larger proportion than fruit tissues, indicating the presence of added seed.

On November 4, 1942, the United States attorney for the Western District of New York filed a libel against 24 cases, each containing 1 gross boxes, of the above-named product at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about August 18 to on or about September 1, 1942, by the H. C. Brill Co., Inc., from Newark, N. J.; and charging that it was adulterated in that inferiority had been concealed by the addition of strawberry seeds, and in that strawberry seeds had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was. The article was labeled in part: (Boxes) "Strawberry Flavor Brill's E-Zee Freez For Making Ice Cream."

On December 12, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to various charitable institutions.

#### EGGS

**4376. Adulteration of frozen whole eggs. U. S. v. Produce Terminal Cold Storage Co. Plea of guilty. Fine, \$1. (F. D. C. No. 7316. Sample Nos. 74873-E, 74874-E.)**

On October 7, 1942, the United States attorney for the Northern District of Illinois filed an information against Produce Terminal Cold Storage Co., a