

North Haven, Conn., alleging shipment on or about November 16, 1942, from the State of Connecticut into the State of New York of a quantity of shell eggs that were adulterated in that they consisted in whole or in part of a decomposed substance.

On April 1, 1943, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$10.

4775. Adulteration of shell eggs. U. S. v. 44 Cases of Shell Eggs. Product ordered released under bond for reclaiming good portion. (F. D. C. No. 9169. Sample No. 14616-F.)

On January 11, 1943, the United States attorney for the Southern District of California filed a libel against 44 cases, each containing 30 dozen, of eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about February 19, 1942, by the Spencer Produce Co., Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 23, 1943, Jack Levine, trading as the Rancho Egg Farms, Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment was entered ordering the product released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was candled and the unfit portion was destroyed or denatured.

4776. Adulteration of shell eggs. U. S. v. 258 Crates of Shell Eggs. Consent decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. No. 9336. Sample No. 14622-F.)

On February 8, 1943, the United States attorney for the Southern District of California filed a libel against 258 crates, each containing 30 dozen, of shell eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 12, 1942, by Sol Rich and Co. from Chicago, Ill.; 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: (Crates) "Eggs 30 Dozen Lanesboro Produce Company Distributors Wells Minn."

On February 27, 1943, Nye & Nissen, Inc., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning under the supervision of the Food and Drug Administration. The eggs were candled and the rejects were disposed of as tankage.

4777. Alleged adulteration and misbranding of liquid whole eggs. U. S. v. Golden Eagle Farm Products, Inc. Plea of not guilty. Tried to a jury. Verdict of not guilty. (F. D. C. No. 8746. Sample No. 84398-E.)

On April 2, 1943, the United States attorney for the Southern District of New York filed an information against the Golden Eagle Farm Products, Inc., New York, N. Y., alleging shipment on or about May 12, 1942, from the State of New York into the State of New Jersey of a number of drums of liquid whole eggs that were adulterated and misbranded.

The article was alleged to be adulterated (1) in that a product high in reducing sugars had been substituted wholly or in part for whole eggs, and (2) in that a product high in reducing sugars had been added to the article or had been mixed and packed with it so as to reduce its quality or strength.

It was alleged to be misbranded (1) in that the statement, "Whole Eggs," borne on the tag attached to the drums was false and misleading; and (2) in that it purported to be liquid whole eggs, a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, but did not conform to such definition and standard in that it did not consist of eggs of the domestic hen broken from the shells and with yolks and whites in their natural proportions as so broken.

On June 5, 1942, a plea of not guilty having been entered on behalf of the defendant, the case was tried to a jury. The trial was concluded on June 8, 1942, and the jury returned a verdict of not guilty.

4778. Adulteration of dried whole egg powder. U. S. v. 62 Boxes of Spray Process Whole Egg Powder. Default decree of condemnation and destruction. (F. D. C. No. 9260. Sample No. 12026-F.)

On February 9, 1943, the United States attorney for the Western District of Washington filed a libel against 62 40-pound boxes of whole egg powder at Seattle, Wash., alleging that the article had been delivered to the dock at Seattle, Wash., on or about September 21, 1942, by Guy F. Atkinson Co., for