

N. Y., alleging that the article had been shipped in interstate commerce from on or about April 5 to June 2, 1943, by the Conestoga Cream & Cheese Manufacturing Corporation from Lima, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 3, 1943, no claimant having appeared for the 31-can lot, a judgment of condemnation was entered and the product was ordered destroyed. On July 26 and 29, 1943, the Conestoga Cream & Cheese Manufacturing Corp. of Lima, Ohio, and Nathan Erlich, of Brooklyn, N. Y., having appeared as claimants for the remaining lots and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**5345. Adulteration of shell eggs. U. S. v. 50 Cases and 250 Cases of Eggs. Product ordered released under bond for separation of the good from the bad portion.** (F. D. C. Nos. 10445, 10518. Sample Nos. 15193-F, 15194-F, 15197-F to 15199-F, incl.)

On August 20 and 28, 1943, the United States attorney for the Southern District of California filed libels against a total of 300 cases of eggs at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 9 and 15, 1943, by the Dickey-Davis Co., from Phoenix, Ariz.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance by reason of the presence of decomposed egg. The article was labeled in part: "Dirty," "Bakers," or "Checks." Twenty-seven of these cases were unlabeled.

On August 24 and September 2, 1943, J. M. Davis, W. E. Humphries, and J. Earl Stowe, trading under the name of the Dickey-Davis Company, having appeared as claimants, and having admitted the allegations of the libels, the court entered orders releasing the product under bond of segregation of the fit portion from the unfit portion under the supervision of the Food and Drug Administration.

**5346. Adulteration of shell eggs. U. S. v. 356 Cases of Shell Eggs. Decree of condemnation. Product ordered released under bond for sorting of the fit portion from the unfit portion, and use of the unfit portion for industrial purposes.** (F. D. C. No. 10212. Sample No. 20641-F.)

Examination of this product showed the presence of rotten and moldy eggs.

On July 9, 1943, the United States attorney for the District of Massachusetts filed a libel against 356 cases of shell eggs at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about June 18, 1943, by F. M. Priest & Sons from St. James, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 20, 1943, the Siegel Egg Co. of Boston, Mass., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for sorting of the fit portion from the unfit portion under the supervision of the Food and Drug Administration, and disposition of the unfit portion for industrial purposes.

### FISH AND SHELLFISH

**5347. Adulteration of frozen mullet fillets. U. S. v. 215 Cartons and 1,357 Cartons of Mullet Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 10157. Sample Nos. 36228-F, 36229-F.)

On June 30, 1943, the United States attorney for the District of Colorado filed a libel against 215 45-pound cartons and 1,357 15-pound cartons of mullet fillets at Denver, Colo., which had been shipped by the Northern Lakes Fisheries Co., Ltd., from Winnipeg, Canada, on or about June 7, 1943; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On August 27, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**5348. Adulteration of frozen ocean pout. U. S. v. 6 Cases "Cello Ocean Pout." Consent decree of condemnation and destruction.** (F. D. C. No. 10071. Sample No. 36318-F.)

On June 11, 1943, the United States attorney for the District of Colorado filed a libel against 6 cases of cello ocean pout which had been shipped by the Booth Fisheries Corporation, alleging that the article had been shipped on or about May 18, 1943, from Boston, Mass.; and charging that it was adulterated in that