

**PRODUCT:** 169 60-pound cartons, 20 62-pound cartons, and 27 60-pound cartons of butter at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** May 25, 1945. The cases having been consolidated and Alex and Irene Eisenberg, trading as the Penn Blue Ridge Dairies, claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**9073. Adulteration of butter. U. S. v. 19 Cases of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 9009. Sample Nos. 31732-F, 31733-F.)**

**LIBEL FILED:** On or about December 7, 1942, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about November 24 and 27, 1942, by the Napoleon Creamery, from Napoleon, Ind.

**PRODUCT:** 19 30-pound cases of butter at Cincinnati, Ohio.

**LABEL, IN PART:** "Spring Dale Brand Creamery Butter The C. Eberle Sons Company, Distributors, Cincinnati, Ohio."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** December 11, 1942. The Napoleon Creamery, claimant, having admitted the facts of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Federal Security Agency.

**9074. Adulteration of butter. U. S. v. 31 63-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16327. Sample No. 19037-H.)**

**LIBEL FILED:** May 18, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 9, 1945, by the Towner Creamery, from Towner, N. Dak.

**PRODUCT:** 31 63-pound cartons of butter at New York, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** June 9, 1945. George Wittner & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**9075. Adulteration of butter. U. S. v. 116 Cartons (6,960 pounds) and 67 Cartons (4,020 pounds) of Butter. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 16089, 16735. Sample Nos. 5685-H, 7406-H.)**

**LIBELS FILED:** April 12 and June 27, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about March 30 and June 16, 1945, by the Plymouth Creamery Co., from Le Mars, Iowa.

**PRODUCT:** 116 cartons and 67 cartons, each containing 60 pounds, of butter at New York, N. Y.

**LABEL, IN PART:** "Butter Distributed by Standard Butter & Egg Co. New York."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** April 25 and July 7, 1945. The Standard Butter and Egg Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

**9076. Misbranding of butter. U. S. v. 64 32-Pound Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15783. Sample No. 5664-H.)**

**LIBEL FILED:** March 6, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about February 19, 1945, by J. Rosenblum and Son, from New York, N. Y.

**PRODUCT:** 64 cartons, each containing 32 1-pound prints, of butter at Paterson, N. J. Examination showed that the product was short-weight.

**LABEL, IN PART:** "One Pound Net Creamery Butter Packed by Ben Goldenberg Inc. New York, N. Y."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** March 7, 1945. J. Rosenblum and Sons, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprinting to the declared weight, under the supervision of the Federal Security Agency.

## EGGS

**9077. Adulteration of dried eggs. U. S. v. 11 Cases of Dried Whole Eggs. Default decree of condemnation and destruction. (F. D. C. No. 15884. Sample No. 27431-H.)**

**LABEL FILED:** April 9, 1945, District of Oregon.

**ALLEGED SHIPMENT:** On or about February 27, 1945, by the Union Pacific Railroad Agent, from Seattle, Wash.

**PRODUCT:** 11 56-pound cases of dried whole eggs, at Portland, Oreg. The product was moldy because of water damage.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9078. Adulteration of dried eggs. U. S. v. 1 Barrel of Dried Eggs. Default decree of condemnation and destruction. (F. D. C. No. 15747. Sample No. 5812-H.)**

**LABEL FILED:** March 28, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about March 22, 1943, from Brooklyn, N. Y.

**PRODUCT:** 1 barrel containing about 170 pounds of dried eggs at Trenton, N. J.

**LABEL, IN PART:** "Samuel Dunkel & Co., Inc., New York, N. Y. July 1942 Spray Dried Whole Eggs Andes, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** November 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9079. Adulteration of frozen eggs. U. S. v. 160 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product released under bond. (F. D. C. No. 14529. Sample No. 87392-F.)**

**LABEL FILED:** November 27, 1944, District of Minnesota.

**ALLEGED SHIPMENT:** On or about November 4, 1944, by Featherweight Foods, Inc., from Grand Forks, N. Dak.

**PRODUCT:** 160 30-pound cans of frozen whole eggs at St. Paul, Minn.

**LABEL, IN PART:** "Ocoma Fancy Frozen Eggs."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 28, 1945. The Omaha Cold Storage Co., Omaha, Nebr., claimant, having filed a motion for the removal of the case to the District of Nebraska, which motion was denied, and having subsequently admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**9080. Adulteration of frozen eggs. U. S. v. 2,300 Cans and 312 Cans of Frozen Eggs. Decrees ordering portion of product released under bond; remainder condemned and destroyed. (F. D. C. Nos. 15787, 15788. Sample Nos. 2007-H, 4515-H.)**

**LABELS FILED:** April 2 and 3, 1945, Eastern and Middle Districts of Pennsylvania.

**ALLEGED SHIPMENT:** On or about February 12 and 14, 1945, by Swift and Co., from Chicago, Ill.