

4305. Adulteration of eggs. U. S. * * * v. 7 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6852. S. No. E-386.)

On September 8, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases of eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about August 28, 1915, and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the product was liable to condemnation and confiscation as provided in said act of Congress in that the said article consisted, in whole or in part, of a filthy, decomposed, or putrid animal substance; in particular, that of the 7 cases of eggs sold as checks, at least 90 per cent thereof were spot eggs and unfit for food, contrary to the provisions of section 7, subdivision 6, under the title "Food," of said Food and Drugs Act.

On September 30, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*