

5242. Adulteration of eggs. U. S. * * * v. 20 Cases of Eggs. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion destroyed. (F. & D. No. 7638. I. S. No. 1213-m. S. No. E-680.)

On August 9, 1916, 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 20 cases, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about August 2, 1916, by C. R. Antney, Sanborn, Ind., and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, at least 21 per cent of rotten and spotted eggs.

On August 10, 1916, the R. B. Shimer & Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the eggs should be sorted out under the supervision of the Department of Agriculture, and that the portion found unfit for food should be destroyed and the balance disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*