

5528. Adulteration of oysters. U. S. \* \* \* v. 100 Cans of Oysters. Product destroyed upon stipulation of parties. Judgment for costs against claimant entered. (F. & D. No. 7047, J. S. Nos. 2528-1, 2529-1, 2530-1, 2531-1. S. No. E-477.)

On November 5, 1915, the United States attorney for the District of Connecticut, 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 100 cans of oysters, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been delivered for shipment from the State of Connecticut to another State or Territory, on or about November 6, (?) 1915, by John P. McNeil, New Haven, Conn., 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 whole or in part of a filthy, decomposed, or putrid animal substance.

On March 2, 1916, the product was destroyed upon a stipulation of the parties without any prejudice to the rights of the said John P. McNeil, claimant. New Haven, Conn., to defend or make any claims which he otherwise might have made. Thereafter, on March 5, 1917, default for want of pleadings having been entered, judgment was entered to recover costs from said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*