

On July 25, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10679. Adulteration of shell eggs. U. S. * * * v. 62 Cases * * * of Shell Eggs. Decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 16681. I. S. No. 2505-v. S. No. E-4082.)

On July 20, 1922, the United States attorney for the Eastern District of Pennsylvania, 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 62 cases, more or less, of shell eggs, consigned by James C. Mullikin, Centerville, Md., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 18, 1922, and transported from the State of Maryland into the State of Pennsylvania, 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 July 24, 1922, James C. Mullikin having appeared as claimant for the property and the matter having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant, upon the payment of all the costs of the proceedings and the delivery by the claimant of a good and sufficient bond in the sum of \$500, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10680. Adulteration of shell eggs. U. S. * * * v. Farmers Union Cooperative Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 14556. I. S. No. 10154-t.)

On May 12, 1921, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Farmers Union Cooperative Co., a corporation, Hendley, Nebr., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 24, 1920, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article, consisting of 1080 eggs, showed the presence of 104 inedible eggs, or 9.6 per cent, consisting of black rots, mixed or white rots, moldy, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 6, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10681. Adulteration of tomato catsup. U. S. * * * v. 400 Cases of Polk's Tomato Catsup. Consent decree of condemnation and forfeiture. Product released on bond for sorting and destruction of adulterated catsup and salvaging of containers. (F. & D. Nos. 14808, 14809. I. S. Nos. 2551-t, 2552-t. S. No. C-2983.)

On April 19, 1921, the United States attorney for the Western District of Louisiana, 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 400 cases of Polk's tomato catsup at Shreveport, La., alleging that the article had been shipped on or about December 1, 1920, by J. T. Polk Co., Mound City, Ill., and transported from the State of Illinois into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Polk's Best Catsup, J. T. Polk Co. Chicago."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On October 15, 1921, the case having come on for final disposition upon the answer of Sears & Nichols Canning Co., intervenor, and stipulation of the parties, it was ordered by the court that the product might be released to said intervenor, upon payment of the costs of the proceedings and the execution of a good and sufficient bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision