

11008. Adulteration of shell eggs. U. S. v. 119 Cases and 155 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16748, 16749. I. S. Nos. 1104-v, 1107-v. S. Nos. E-4112, E-4113.)

On or about July 28, 1922, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 274 cases of shell eggs, remaining in the original unbroken packages at Baltimore, Md., having arrived on or about July 26, 1922, alleging that the article had been shipped by Stevens Bros., from Greenville, Tenn., and transported from the State of Tennessee into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Stevens Bros. Greenville, Tenn., Baltimore, Md."

Adulteration of the article was alleged in substance in the libels for the reason that it contained an excessive amount of eggs which were decomposed in whole or in part.

On July 30, 1922, the two cases having been consolidated into one action and R. Nelson Stevens, trading as Stevens Bros., having entered an appearance as claimant for the property and having admitted the material allegations of the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be inspected and assorted under the supervision of this department and that the portion thereof which was not adulterated might be disposed of for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11009. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16751. I. S. No. 3929-v. S. No. C-3757.)

On or about August 2, 1922, the United States attorney for the Northern District of Illinois, 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 eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by S. E. Hackman Co., Holdrege, Nebr., July 7, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

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

On August 17, 1922, the Frank G. Heilman Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be candled under the supervision of this department, the bad portion destroyed and the good portion released.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11010. Misbranding of Giepsi Vemela. U. S. v. 9 Bottles of Giepsi Vemela. Default decree ordering destruction of the product. (F. & D. No. 14944. I. S. No. 10802-t. S. No. W-924.)

On July 21, 1921, the United States attorney for the District of New Mexico, 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 9 bottles of Giepsi Vemela, remaining unsold in the original unbroken packages at Las Cruces, N. Mex., alleging that the article had been shipped by the Giepsi Vemela Co., Douglas, Ariz., February 4, 1921, and transported from the State of Arizona into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of vegetable extractives, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles and cartons containing the said article and the accompanying circulars bore certain statements, designs, and devices regarding its curative