

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

15401-15450

[Approved by the Secretary of Agriculture, Washington, D. C., May 22, 1928]

15401. Adulteration of shell eggs. U. S. v. 408 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20424. I. S. No. 1406-x. S. No. C-4814.)

On August 26, 1925, 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 praying seizure and condemnation of 408 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Sidney Ice Storage Co., from Sidney, Nebr., August 19, 1925, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid substance.

On August 27, 1925, Peter Fox Sons, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that the eggs be candled under the supervision of this department, the good eggs released and the remainder destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

15402. Adulteration of butter. U. S. v. 28 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20257. I. S. No. 22340-v. S. No. C-4771.)

On July 2, 1925, 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 praying seizure and condemnation of 28 tubs of butter, consigned by the Kiefer Produce Co., Wausau, Wis., and remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on June 25, 1925, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated, in that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article; for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom; and for the further reason that the said article contained less than 80 per cent of butterfat.

On July 21, 1925, the Beatrice Creamery Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of 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, conditioned in part that it be reprocessed so as to contain not less than 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*