

20115. Adulteration and misbranding of canned frozen eggs. U.S. v. 416 Cans of Frozen Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28521. Sample No. 7718-A.)

This action involved the shipment of a quantity of canned frozen eggs, samples of which were found to be decomposed. Examination further showed that the article contained undeclared added sugar.

On or about August 1, 1932, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 416 cans of frozen eggs, remaining in the original and unbroken packages at West Palm Beach, Fla., alleging that the article had been shipped in interstate commerce on or about October 12, 1931, by the Sunbeam Egg Co., from Roanoke, Va., to West Palm Beach, Fla., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Frozen Whole Eggs * * * Distributed by the Sunbeam Egg Company, General Offices, Cleveland, Ohio."

It was alleged in the libel that the article was adulterated in that frozen eggs containing added sugar had been substituted for the article. Adulteration was alleged for the further reason that the product consisted in part of a decomposed animal substance.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 7, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20116. Adulteration of cherries. U.S. v. 43 Baskets of Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28555. Sample No. 8440-A.)

Arsenic in an amount which might have rendered the article injurious to health was found on cherries taken from the shipment involved in this case.

On July 19, 1932, 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 the district aforesaid a libel praying seizure and condemnation of 43 baskets of cherries, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Geo. Cratsley, Hector, N.Y., alleging that the article had been shipped in interstate commerce on or about July 18, 1932, from Hector, N.Y., to Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, arsenic, which might have rendered it harmful to health.

On August 9, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20117. Adulteration of butter. U.S. v. 10 Cases, et al., of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28687. Sample Nos. 663-A, 664-A, 665-A.)

This case involved a quantity of butter, samples of which were found to be rancid and spoiled.

On July 8, 1932, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court for the district aforesaid a libel praying seizure and condemnation of 50 cases of butter, remaining in the original unbroken packages at San Jose, Calif., alleging that the article had been shipped in interstate commerce, on or about July 4, 1932, by Snider Dairy & Produce Co., from Medford, Oreg., to San Jose, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "Snider Dairy & Produce Co. * * * Medford, Ore."

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

On August 3, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*