

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 252, FOOD AND DRUGS ACT.

ADULTERATION OF EVAPORATED EGG.

On or about November 19, 1909, Armour & Company, Washington, D. C., offered for sale in the District of Columbia one barrel of a food product known as evaporated egg. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the product was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia.

In due course a libel was filed against the said barrel of evaporated egg, charging adulteration of the product within the meaning of the act, in that it was in a filthy, decomposed, and putrid condition and unfit for human consumption, and praying seizure, condemnation, and forfeiture.

On January 10, 1910, no response or answer having been filed to the libel, the case came on for final hearing, and the court rendered its decree of condemnation and forfeiture in substance and in form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA, HOLDING A DISTRICT COURT.

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| UNITED STATES OF AMERICA | } District No. 855. |
| vs. | |
| ONE BARREL OF EVAPORATED EGG. | |

JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the Court that upon the libel filed herein on the nineteenth day of November, A. D. 1909, the Marshal of the United States

for the District of Columbia has seized one barrel of evaporated egg; and it further appearing that the said barrel of evaporated egg was found in the possession of Armour and Company, a body corporate, and that the said Armour and Company was offering the said barrel of evaporated egg for sale in the District of Columbia, and that the said barrel of evaporated egg was transported from the State of Illinois to the District of Columbia, and remained unsold in said District, and that a copy of the writ was duly served upon the said Armour and Company by the said United States Marshal, and a copy of the same duly affixed to the court-house door, and that the time for filing the response and answer to the libel herein has expired, and that no response or answer having been filed to said libel, and no objection being signified to the Court; and it further appearing that the contents of the said barrel of evaporated egg are in a filthy, decomposed and putrid condition, and unfit for human consumption;

It is, by the Court, this — day of January, A. D. 1910;

Adjudged, ordered and decreed, That the contents of the said barrel of evaporated egg in the custody of the United States Marshal are adulterated within the meaning of the Act of Congress approved June 30, 1906.

It is further ordered that the said contents of the said barrel of evaporated egg be, and they are hereby condemned, and shall be destroyed by the said Marshal of the United States, in such manner as provided by the Act of Congress approved June 30, 1906.

It is further ordered that the said Armour and Company pay all the costs of these proceedings.

BY THE COURT.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *March 8, 1910.*

