

3593. Adulteration of frozen egg product. U. S. v. 30 Tubs and 70 Cans of Frozen Egg Product. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5649. I. S. No. 2658-h. S. No. C-15.)

On March 28, 1914, the United States attorney for the Eastern District of Michigan, 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 30 tubes [tubs] and 70 cans of frozen egg product, approximating 3,000 pounds, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the product had been shipped from the State of Illinois into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the product was shipped and consigned as frozen eggs, whereas, in truth and in fact, it was a substance which consisted in whole and in part of a filthy, decomposed, and putrid animal substance, in violation of section 7 in the case of foods, paragraph 6, of the Food and Drugs Act.

On August 3, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *February 19, 1915.*

3594. Misbranding of feed. U. S. v. 200 Bags * * * Feed. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5652. I. S. No. 9525-h. S. No. E-15.)

On March 30, 1914, the United States attorney for the Southern District of New York, 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 200 bags, each containing 100 pounds of feed, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about November 15, 1913, and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "100 Lbs. 15 to 16% Protein, 3% Fat, 12% Fibre, 45% Carbohydrates U. S. Sugared Feed United States Sugar Feed Company, Distributors, Milwaukee, Wisconsin U. S. A."

It was alleged in the libel that the product was misbranded in violation of section 8, first general paragraph and paragraph 2 under the title of food, of said act, in that said product contained less protein, less fat, and more fiber than was announced upon the labels.

On May 11, 1914, the Warwick Grange Cooperative Association, Wisner, N. Y., claimant, having consented to a decree and filed a stipulation for costs, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all the costs of the proceeding and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *February 19, 1915.*