

**3721. Adulteration of eggs in the shell. U. S. v. 400 Cases of Eggs in the Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5925. S. No. E-109.)**

On or about September 16, 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 400 cases of eggs in the shell, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about September 9, 1914, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the Food and Drugs Act. Some of the cases were marked with a stencil "For Mfg. use"; others were marked "Spots"; others were marked "2nd"; and some of the cases were unmarked.

It was alleged in the libel that the product consisted in whole or in part of a filthy, decomposed, and putrid animal substance, in violation of section 7, paragraph 6, under the title "Food," of the Food and Drugs Act, a large majority of the eggs in the cases being decayed and rotten.

On October 5, 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., *April 24, 1915.*