

6373. Adulteration of shell eggs. U. S. * * * v. 5 Cases * * * of Shell Eggs. Order of court to separate good portion of eggs from those unfit for food and to sell the good eggs and to destroy the bad.
(F. & D. No. 8393. I. S. No. 8220-p. S. No. C-732.)

On August 8, 1917, 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 for the seizure and condemnation of 5 cases, each containing 30 dozen shell eggs, at Chicago, Ill., alleging that the article had been shipped on August 1, 1917, by Brackney & Co., Clemons Grove, Iowa, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance; for the further reason that it consisted wholly of a decomposed animal substance; for the further reason that it consisted in part of a filthy animal substance; and for the further reason that it consisted wholly of a filthy animal substance.

On August 10, 1917, the case having come on to be heard upon motion of the United States attorney for an order of disposition of the article, and it appearing to the court that said article was of a perishable character and rapidly deteriorating in quality and value, it was ordered by the court that the United States marshal be authorized and directed to separate, under the supervision of a representative of this department, such portion of the article as should be found fit for human food and to sell the same at the best price obtainable, and that the said marshal be further authorized and directed to destroy such portion of the article as should be found unfit for human food.

C. F. MARVIN, *Acting Secretary of Agriculture.*