

11357. Adulteration of shell eggs. U. S. v. 5 Cases of Eggs. Default decree of condemnation and forfeiture. Bad portion destroyed and the good portion sold. (F. & D. No. 17179. I. S. No. 7649-v. S. No. W-1276.)

On or about January 3, 1923, the United States attorney for the District of Colorado, 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 of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Stires [Roy E. Stires], Atwood, Kans., alleging that the article had been shipped from Atwood, Kans., on or about December 21, 1922, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "From Stires Atwood, Ks."

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

On or about February 23, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion of the said article be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11358. Adulteration of shell eggs. U. S. v. 34 Cases of Eggs. Default decree of condemnation and forfeiture. Bad portion destroyed and good portion sold. (F. & D. No. 17198. I. S. No. 7648-v. S. No. W-1282.)

On or about January 4, 1923, the United States attorney for the District of Colorado, 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 34 cases of eggs, consigned by the Elkhart Poultry & Egg Co., Elkhart, Kans., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped from Elkhart, Kans., in various consignments, namely, on or about August 28, August 31, September 3, and September 5, 1922, respectively, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "From The Elkhart Poultry and Egg Co. * * * Elkhart, - Kansas."

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

On February 23, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the bad portion of the said article be destroyed and the good portion sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11359. Adulteration of frozen mixed eggs. U. S. v. 172 Crates of Frozen Mixed Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17274. I. S. No. 4176-v. S. No. C-3880.)

On or about February 9, 1923, 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 praying the seizure and condemnation of 172 crates of frozen mixed eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Westcott & Winks [Wescott & Winks], from Sumner, Iowa, August 25, 1922, 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 wholly or in part of a filthy, decomposed, and putrid animal substance.

On March 8, 1923, Wescott & Winks, claimant, having admitted the material allegations in the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, the bad portion destroyed and the good portion released.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*