

14696. Adulteration of shell eggs. U. S. v. 16 Cases of Eggs. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 21275. I. S. No. 2099-x. S. No. C-5202.)

On or about August 5, 1926, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 cases of shell eggs, remaining in the original unbroken packages at Louisville, Ky., consigned by Bullington Bros., Hardingsburg, Ind., August 2, 1926, alleging that the article had been shipped from Hardingsburg, Ind., and transported from the State of Indiana into the State of Kentucky, 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 filthy, decomposed, and putrid animal substance.

On August 11, 1926, Bullington Bros., Hardingsburg, Ind., having entered a claim for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the execution of a bond in the sum of \$115, conditioned in part that the decomposed eggs be separated from the sound eggs under the supervision of this department, and the former destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

14697. Adulteration of canned blackberries. U. S. v. 105 Cases of Canned Blackberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21099. I. S. No. 10576-x. S. No. W-1981.)

On May 29, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 105 cases of canned blackberries, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Northern Canneries Corp., Tacoma, Wash., alleging that the article had been shipped from Tacoma, Wash., February 11, 1926, and transported from the State of Washington into the State of California, 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 vegetable substance.

On October 22, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14698. Adulteration of butter. U. S. v. 129 Tubs and 13 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21228. I. S. Nos. 2094-x, 2095-x. S. No. C-5198.)

On or about July 30 and 31, 1926, respectively, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 142 tubs of butter, remaining in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped by the Tip Top Creamery Co., Vincennes, Ind., in part on or about July 7, 1926, and in part on or about July 16, 1926, and transported from the State of Indiana into the State of Kentucky and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On August 11, 1926, the two cases having been consolidated into one cause of action and the Armour Creameries, Louisville, Ky., having appeared as claimant for the property, 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 \$4,000, said bond providing that the product be reconditioned under the supervision of this department to comply with the requirements of the law.

W. M. JARDINE, *Secretary of Agriculture.*