

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

---

## NOTICE OF JUDGMENT NO. 227, FOOD AND DRUGS ACT.

---

### ADULTERATION OF DESICCATED EGG.

On or about July 31, 1909, the Columbia Desiccated Egg Co., of Chicago, Ill., shipped from the State of Illinois into the District of Columbia six drums of desiccated egg. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act, of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia. In due course a libel was filed against the said six drums of desiccated egg, charging adulteration of the product within the meaning of the act, because it was in a filthy, decomposed, and putrid condition and unfit for human consumption, and praying seizure, condemnation, and forfeiture. On October 29, 1909, the said Columbia Desiccated Egg Co. filed an answer and set up claim to the product. Subsequently, on January 31, 1910, the attorneys for the Columbia Desiccated Egg Co., by leave of court, withdrew said answer and struck out their appearance from the record. Accordingly, on January 31, 1910, there being no claimant of record, the case came on for final hearing and the court rendered its decree of condemnation and forfeiture in substance and form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA—HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA  
*vs.*  
SIX DRUMS OF COLUMBIA BRAND DESICCATED EGG. } District Docket No. 836.

### JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above-entitled cause, and it appearing to the Court that upon the libel filed herein on the eighteenth day of August, A. D. 1909, the Marshal of the United States for the District of Columbia has seized five drums of Columbia Brand Desiccated Egg, found in the possession of Holmes and Son; and that the said drums of desiccated egg, and

each of them, were transported from the State of Illinois to the District aforesaid, and remain in the possession of the said Holmes and Son, unsold and in original unbroken packages; that a copy of the writ was duly served upon Holmes and Son by the said Marshal of the United States, and a copy of the same duly affixed to the court-house door; and that the answer of the Columbia Desiccated Egg Co., a body corporate, as intervenors, filed herein on the twenty-ninth day of October, A. D. 1909, has been withdrawn, and the appearance of the attorneys for said Columbia Desiccated Egg Co. has been stricken out, and the time for filing the response and answer to the libel herein has expired, and no response or answer being filed to said libel, and no objection being signified to the Court; and it further appearing that the contents of the said five drums of desiccated egg, and each of them, are in a filthy, decomposed and putrid condition, and unfit for human consumption,

It is, by the Court, this thirty-first day of January, A. D. 1910

Adjudged, ordered and decreed: That the contents of the said five drums of desiccated egg in the custody of the said Marshal of the United States, are adulterated within the meaning of the act of Congress approved June 30, A. D. 1906.

It is further ordered that the said contents of the five drums of desiccated egg, and each of them, be, and they are hereby condemned, and shall be destroyed by the said Marshal of the United States, in such manner as provided by the said Act of Congress approved June 30, A. D. 1906.

It is further ordered that the said Holmes and Son pay all the costs of these proceedings.

By the Court.

WENDELL P. STAFFORD,  
*Justice.*

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *February 25, 1910.*