

17290. Adulteration of shell eggs. U. S. v. 1 Case of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24798. I. S. No. 030211. S. No. 2916.)

On February 25, 1930, the United States attorney for the Eastern District of Pennsylvania, 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 1 case of shell eggs, remaining in the original unbroken package at West Chester, Pa., consigned by the Thompson Hatchery (Inc.), alleging that the article had been shipped from Harrisonburg, Va., on or about February 22, 1930, and transported from the State of Virginia into the State of Pennsylvania and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Thompson Hatchery Inc. Harrisonburg, Va."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On March 18, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17291. Adulteration of shell eggs. U. S. v. 7 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24804. I. S. No. 028107. S. No. 3053.)

On March 31, 1930, the United States attorney for the Eastern District of Pennsylvania, 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 7 cases of shell eggs, remaining in the original unbroken packages at West Chester, Pa., consigned by Eley's Hatchery, alleging that the article had been shipped from Ingleside, Md., on or about March 28, 1930, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Eley's Hatchery, Ingleside, Maryland."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On April 19, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17292. Adulteration and misbranding of butter. U. S. v. 53 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24811. I. S. No. 027696. S. No. 3007.)

On March 15, 1930, 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 praying seizure and condemnation of 53 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Whelan Produce Co., Elma, Iowa, on or about March 13, 1930, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On March 19, 1930, the Whelan Produce Co., Elma, Iowa, claimant, having admitted the allegations of the libel and having 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 costs and the execution of a bond in the sum of \$1,600, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*