

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1046.

(Given pursuant to section 4 of the Food and Drugs Act.)

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#### ADULTERATION OF FROZEN EGGS.

On December 8, 1910, the United States Attorney for the Western District of Missouri, acting upon the report of the Secretary of Agriculture, filed in the District Court of the United States for the Western Division of said district a libel praying condemnation and forfeiture of 175 crates of frozen eggs in the possession of the People's Ice, Storage & Fuel Co.

Examinations of samples from said consignment by the Bureau of Chemistry, United States Department of Agriculture, showed that there were present in 1 cubic centimeter 150,000,000 bacteria, of which 10,000,000 were of the gas-producing type B coli. The libel alleged that the eggs, after shipment by Henry Kalchheim & Co., of Dallas, Tex., from the State of Texas into the State of Missouri, remained in the original unbroken packages and were adulterated in violation of the Food and Drugs Act of June 30, 1906, because they consisted in whole or in part of a filthy, putrid, or decomposed animal substance and were, therefore, liable to seizure for confiscation.

On April 17, 1911, no one appearing as claimant of said eggs, the court found them to consist of a filthy, putrid, and decomposed substance, and that the United States was entitled to a decree of condemnation as prayed for in the libel. Accordingly a decree was entered on said day condemning and forfeiting the eggs to the United States, and ordering their destruction by the United States marshal, and, on April 28, 1911, the said marshal destroyed the said eggs, pursuant to the order of the court.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *August 5, 1911.*

