

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2385.

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

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### ADULTERATION OF FROZEN EGG PRODUCT.

On November 26, 1912, the United States Attorney for the Western 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 for the seizure and condemnation of 50 crates, each containing two 30-pound cans of frozen egg product, remaining unsold in the original unbroken packages and in possession of the Buffalo Cold Storage Co., Buffalo, N. Y., alleging that the product had been shipped on or about November 5, 1912, by Lepman & Heggie, Chicago, Ill., and transported from the State of Illinois into the State of New York, consigned to Frank M. Howe and afterwards placed by said consignee in the plant of said Buffalo Cold Storage Co. The product was labeled "2-32 F. M. Howe, Buffalo, N. Y."

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

On December 26, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture by default was entered, and it was further ordered that the product should be destroyed by the United States marshal and that the costs of the proceedings, amounting to \$50.75, should be taxed against Frank M. Howe, the consignee, and that the expense of destruction be also included in the costs to be recovered from said consignee.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 3, 1913.*

