

5267. Adulteration of eggs. U. S. * * * v. 15 Cases of Shell Eggs et al. Consent decrees of condemnation and forfeiture. Unfit portion ordered destroyed; good portion ordered released on bond. (F. & D. No. 7687. I. S. Nos. 21416-m, 21417-m, 21418-m, 21419-m, 21420-m, 21421-m, 21422-m. S. Nos. W-111, W-112, W-113, W-114, W-115, W-116, W-117.)

On August 15 and 16, 1916, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15 cases, 8 cases, 15 cases, 11 cases, 13 cases, 21 cases, and 6 cases of shell eggs, the 13 cases having been consigned by E. A. Miller, Nekoma, Kans., and the other shipments by Percy Crumbein from Bazine, Rush Center, Ness City, and Alexander, Kans., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 5 and 7, 1916, and transported from the State of Kansas into the State Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 23, 1916, Smith & Ellis, a partnership, consisting of Walter D. Smith and Roy C. Ellis, Denver, Colo., claimants, having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the portion of the eggs found unfit for food be destroyed and the portion found to be fit for food be released to said claimant upon the execution of a good and sufficient bond, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*