

\$2,000, conditioned that they be relabeled under the supervision of this Department, so as to bring them into compliance with the Federal Food and Drugs Act.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20220. Adulteration of shell eggs. U.S. v. 375 Cases, et al., of Shell Eggs. Consent decree of destruction entered. (F. & D. no. 28696. Sample nos. 10321-A, 12026-A.)

This action involved interstate shipments of a quantity of shell eggs which were found to contain an excessive amount of decomposed eggs.

On July 18, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 397 cases of shell eggs, remaining in the original unbroken packages at Jersey City, N.J., alleging that the article had been shipped, in part on or about February 28, 1931, by the Vilas Co., Parker, S.Dak., and in part on or about March 2, 1931, by L. N. Manning, Roodhouse, Ill., and had been transported from the States of South Dakota and Illinois, respectively, into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed and putrid animal substance.

On September 7, 1932, M. Roth & Co., Inc., New York, N.Y., the consignee of the product, having consented to the entry of a decree, judgment was entered by the court ordering that it be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20221. Adulteration of canned frozen eggs. U.S. v. 779 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond for separation, and destruction of unfit portion. (F. & D. no. 28504. Sample no. 11901-A.)

This action involved the interstate shipment of a quantity of canned frozen eggs, samples of which were found to be decomposed.

On July 25, 1932, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 779 cans of frozen eggs, remaining in the original packages at Brooklyn, N.Y., alleging that the article had been shipped on or about July 10, 1932, by the Emulsol Corporation, from Chicago, Ill., to Brooklyn, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Emulsol-M. * * * The Emulsol Corp. * * * Chicago, Ill."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On August 11, 1932, the Emulsol Corporation, Chicago, Ill., 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 \$3,000, conditioned that it be sorted under the supervision of this Department, in order to separate the cans containing good eggs from the cans containing bad eggs, that the decomposed portion be destroyed and that the remainder be disposed of only in compliance with the law, State and Federal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20222. Adulteration of herring. U.S. v. 2 Boxes, et al., of Bluefin Herring. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 28743, 28744. Sample nos. 4504-A, 4505-A.)

These cases involved interstate shipments of quantities of herring which were found to be infested with parasitic worms.

On July 29, 1932, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of four boxes of bluefin herring at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 26, 1932, by H. Mickelsen, from Schroeder, Minn., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, and in that it consisted of portions of animals unfit for food.

On September 26, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20223. Adulteration of Fruiti-Chews and Fruit Chews. U.S. v. 1,357 Dozen Packages of Fruiti-Chews and Fruit Chews. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28811. Sample no. 9483-A.)

This action involved quantities of chewing gum, known as Fruiti-Chews or Fruit Chews, that contained phenolphthalein, a drug which might be harmful.

On August 27, 1932, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1,357 dozen packages of Fruiti-Chews or Fruit Chews, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about August 26, 1932, by S. S. Epstein, from New York, N.Y., to Boston, Mass., and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Chewing Sweet Five Cents National Fruiti-Chews"; or "National Chewing Sweet Fruit Chews."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, phenolphthalein, which might have rendered it harmful to health.

On September 23, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20224. Adulteration of dill pickles. U.S. v. 36 Cases of Dill Pickles. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28808. Sample no. 7373-A.)

This action involved a quantity of dill pickles samples of which were found to be decomposed.

On August 27, 1932, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 36 cases of dill pickles, remaining in the original unbroken packages at Pensacola, Fla., alleging that the article had been shipped in interstate commerce, on or about October 12, 1931, by the Southern Manufacturing Co., from St. Louis, Mo., to Pensacola, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Our Favorite Brand Dill Pickles, * * *. Packed and Guaranteed by Southern Manufacturing Company, St. Louis."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a decomposed vegetable substance.

On September 17, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20225. Adulteration of caraway seed. U.S. v. 1 Bag of Caraway Seed. Decree of condemnation and destruction. (F. & D. no. 28731. Sample no. 8674-A.)

This action involved the interstate shipment of a quantity of caraway seed which was found to contain rodent excreta.

On August 22, 1932, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of one bag of caraway seed, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about July 19, 1932, by Bear Stewart Co., from Chicago, Ill., to Pittsburgh, Pa., and charging adulteration in violation of the Food and Drugs Act.