

15436. Adulteration of chestnuts. U. S. v. 1,000 Cases of Chestnuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22122. I. S. No. 20945-x. S. No. 168.)

On October 31, 1927, 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 1,000 cases of chestnuts, remaining in the original unbroken packages at New York, N. Y., consigned by F. Vitelli & Sons, Naples, Italy, arriving at New York about December 1, 1926, alleging that the article had been shipped from Italy, in foreign commerce into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "F. Vitelli & Figli * * * Naples * * * Italy."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid substance, to wit, moldy, decomposed, and wormy nuts.

On November 14, 1927, F. Vitelli & Sons, New York, N. Y., 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 the costs of the proceedings and the execution of a bond in the sum of \$12,000, conditioned in part that the nuts be sorted and the bad portion destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

15437. Adulteration of shell eggs. U. S. v. 14 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21994. I. S. No. 18101-x. S. No. 10.)

On July 7, 1927, the United States attorney for the District of Colorado, 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 14 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Angora Mercantile Co., Angora, Nebr., alleging that the article had been shipped from Angora, Nebr., on or about June 23, 1927, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Angora Mercantile Company * * * Angora, Nebraska."

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

On November 12, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture.*

15438. Adulteration of butter. U. S. v. 13 Tubs of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22108. I. S. No. 21226-x. S. No. 134.)

On October 5, 1927, the United States attorney for the District of Maryland, 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 13 tubs of butter, remaining in the original unbroken packages at Baltimore, Md., consigned about September 23, 1927, alleging that the article had been shipped by the Ideal Butter & Egg Co., Inc., from New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated, in that a substance low in milk fat and containing cottonseed and peanut oils, and other fats other than milk fat, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law. Adulteration was alleged for the further reason that the article consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On December 19, 1927, 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.

W. M. JARDINE, *Secretary of Agriculture.*