

**20469. Adulteration and misbranding of canned frozen whole eggs. U. S. v. 660 Cans of Frozen Whole Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29257. Sample no. 15970-A.)**

This action involved the interstate shipment of a quantity of canned frozen whole eggs, samples of which were found to be decomposed. The cans containing the article were not labeled to show the quantity of the contents.

On November 10, 1932, 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 the district aforesaid a libel praying seizure and condemnation of 660 cans of frozen whole eggs, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 31, 1932, by the Omaha Cold Storage Co., from Omaha, Nebr., to Baltimore, Md., and charging adulteration and misbranding in violation of the Food and Drugs Act. The cans containing the article had the words, "Whole Eggs.", embossed on the lid.

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

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

The Omaha Cold Storage Co., Omaha, Nebr., filed its claim and answer admitting the allegations of the libel, consenting to the entry of a decree and praying release of the goods. On November 15, 1932, 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 \$2,500, conditioned in part that it be made to conform to the Federal Food and Drugs Act under the supervision of this Department. The decomposed portion was separated and denatured so as to render it unfit for food.

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

**20470. Adulteration of cauliflower. U. S. v. 77 Crates, et al., of Cauliflower. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29270, 29272, 29273. Sample nos. 20399-A, 20400-A, 21020-A, 21027-A.)**

These actions involved the interstate shipment of quantities of cauliflower, samples of which were found to contain arsenic in an amount which might have rendered the article injurious to health.

On October 27, and October 29, 1932, the United States attorney for the Eastern District of Pennsylvania, 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 115 crates of cauliflower, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 26 and October 27, 1932, by Wendel Rotter, from Dayton, N. J., to Philadelphia, Pa., 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 contained an added poisonous or deleterious ingredient, to wit, arsenic.

On November 18, 1932, and January 9, 1933, 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.*

**20471. Adulteration of cauliflower. U. S. v. 30 Crates of Cauliflower. No claim entered. Verdict for the Government. Decree of condemnation, forfeiture, and destruction. (F. & D. no. 29318. Sample no. 16914-A.)**

This action was based on the shipment of a quantity of cauliflower, examination of which showed the presence of arsenic in an amount which might have rendered the article injurious to health.

On October 29, 1932, the United States attorney for the Western District of Louisiana, 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 30 crates of cauliflower, remaining in the original unbroken packages at Shreveport, La., alleging that the article had been shipped in interstate commerce on or about October 15, 1932, by the Western Vegetable