

payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15947. Adulteration of frozen poultry and dressed poultry. U. S. v. 1 Barrel of Frozen Poultry, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23039, 23040, 23060. I. S. Nos. 03019, 03020, 03022. S. Nos. 1123, 1124, 1152.)

On August 31 and September 7, 1928, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2 barrels of frozen poultry and 1 barrel of dressed poultry at New York, N. Y., consigned by Edward Aaron, Inc., alleging that the article had been shipped in part from Fort Scott, Kans., and in part from Butler, Mo., in various lots, on or about August 16, August 18, and August 24, 1928, respectively, and had been transported from the States of Kansas and Missouri into the State of New York, 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 portion of an animal unfit for food and in that it was a product of a diseased animal. Adulteration was alleged with respect to a portion of the article for the further reason that it consisted in part of a decomposed animal substance.

On September 20 and September 27, 1928, respectively, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15948. Adulteration of dressed poultry. U. S. v. 2 Barrels, et al., of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23066. I. S. No. 03025. S. No. 1162.)

On September 11, 1928, 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 2 barrels and 1 keg of dressed poultry, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Naomi Produce Co., from Mount Vernon, Ind., on or about August 30, 1928, and transported from the State of Indiana into the State of New York, 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 animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 27, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15949. Adulteration of dressed poultry. U. S. v. 9 Barrels of Dressed Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23059. I. S. No. 03023. S. No. 1151.)

On September 7, 1928, 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 9 barrels of dressed poultry, remaining in the original unbroken packages at New York, N. Y., consigned by the Seymour Packing Co., Topeka, Kans., alleging that the article had been shipped from Topeka, Kans., on or about August 25, 1928, and transported from the State of Kansas into the State of New York, 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 portion of an animal unfit for food, and in that it was a product of a diseased animal.

On September 17, 1928, the Seymour Packing Co., Topeka, Kans., 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 \$350, conditioned in part that the bad portion be separated from the good portion and the former destroyed or denatured under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15950. Adulteration and misbranding of pepper. U. S. v. 2 Barrels of Pepper. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22127. I. S. Nos. 20862-x, 20863-x. S. No. 175.)

On November 2, 1927, 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 said district a libel praying seizure and condemnation of 2 barrels of pepper at Newark, N. J., alleging that the article had been shipped by W. G. Dean & Sons, New York, N. Y., one barrel on or about June 18, 1927, and one barrel on or about August 11, 1927, and had been transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (One barrel) "Butchers Pepper M. Rinefeld & Sons * * * For W. C. Dean & Sons;" (one barrel) "Pure White Pepper."

It was alleged in the libel that the article was adulterated in that substances had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pepper," borne on the label, was false and misleading and deceived and misled the purchasers, and in that it was offered for sale under the distinctive name of another article.

On July 9, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*