On September 7, 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.*

16046. Adulteration of frozen poultry. U. S. v. 2 Barrels of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23021. I. S. No. 03002. S. No. 1078.)

On August 28, 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 of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Falls City Creamery Co., from Falls City, Nebr., on or about August 3, 1928, and had been transported from the State of Nebraska 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 the product of a diseased animal.

On September 13, 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.*

16047. Misbranding of cottonseed meal. U. S. v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22246. I. S. No. 23228–x. S. No. 298.)

On December 1, 1927, the United States attorney for the Western 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 500 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Southern Cotton Oil Co., Montgomery, Ala., November 22, 1927, and transported from the State of Alabama into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "White Mule Brand Cottonseed Meal, * * * Guaranteed Analysis Protein 43 Per Cent."

It was alleged in the libel that the article was misbranded in that the statement "Protein 43 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 9, 1927, the Black Rock Milling Corporation, Black Rock, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 $1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and if sold that it be relabeled as containing 41.4 per cent protein.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16048. Adulteration and misbranding of salad oil. U. S. v. 10 Cartons of Salad Oil, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22071, 22655. I. S. Nos. 16772–x, 21465–x. S. Nos. 113, 685.)

On September 28, 1927, and March 24, 1928, respectively, the United States attorney for the District of Connecticut, 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 19 cartons and 29 cans of salad oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by A. Gash & Co., or A. Gash & Co. (Inc.), New New York, N. Y., in various consignments, on or about December 17, 1926, and October 15, December 1, and December 22, 1927, respectively, and had been transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: "Messina Brand Extra Fine Oil for Salads, Cooking, and Mayonnaise, Net Contents 98% of a Gallon or 7½ lb. Net * * * Messina Brand Oil is a high grade golden corn oil made from the kernel of American Corn * * *." The remainder of the said article was labeled in part: "Messina Brand Extra Fine Oil * * * Net Contents 3-Qts. 1-Pt., 12-Fl. Ozs. Made in U. S. A." (Design in Italian colors.)