

16116. Adulteration of frozen poultry. U. S. v. 78 Barrels, et al., of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22762. I. S. Nos. 24478-x, 24479-x. S. No. 794.)

On May 9, 1928, 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 78 barrels and 75 boxes of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Central Cold Storage Co., Chicago, Ill., on or about December 28, 1927, and transported from the State of Illinois 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 filthy, decomposed, and putrid 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 November 15, 1928, the Silz Packing Co. (Inc.), 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 costs and the execution of a bond in the sum of \$2,900, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lot and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16117. Adulteration of frozen poultry. U. S. v. 129 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. 22792. I. S. No. 24490-x. S. No. 827.)

On May 22, 1928, 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 129 barrels of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Wadley Co., Pana, Ill., on or about February 21, 1928, and transported from the State of Illinois 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 filthy, decomposed, or putrid 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 November 8, 1928, the Silz Packing Co. (Inc.), 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 costs and the execution of a bond in the sum of \$3,600, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lot and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16118. Adulteration of frozen poultry and frozen chickens. U. S. v. 167 Barrels of Frozen Poultry, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22735, 22756, 22766. I. S. Nos. 24469-x, 24476-x, 24477-x, 24481-x. S. Nos. 778, 792, 797.)

On May 1, May 4, and May 9, 1928, respectively, the United States attorney for the District of New Jersey, 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 256 barrels and 31 boxes of frozen poultry, and 22 boxes of frozen chickens, remaining unsold at Jersey City, N. J., consigned by Cromer & Cossitt (Inc.), Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., in part on or about December 1, 1927, and in part on or about January 14, 1928, and transported from the State of Illinois into the State of New Jersey, 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, 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. Adulteration was alleged with respect to a

portion of the frozen poultry for the further reason that it was the product of an animal that had died otherwise than by slaughter.

On October 24, 1928, and November 15, 1928, respectively, the Silz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the material allegations of the libels, modified to the extent, however, that some portion of the product might be fit for human consumption, and said claimant having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$7,050, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lots and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16119. Adulteration of dressed poultry. U. S. v. 8 Barrels of Dressed Poultry. Default order of destruction entered. (F. & D. No. 23176. I. S. No. 02036. S. No. 1279.)

On or about November 2, 1928, the United States attorney for the Eastern District of Michigan, 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 8 barrels of dressed poultry at Detroit, Mich., alleging that the article had been shipped by the Merchants Refrigerating Co., from New York, N. Y., October 16, 1928, and transported from the State of New York into the State of Michigan, 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 filthy, decomposed, and putrid 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 December 6, 1928, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16120. Adulteration and misbranding of cheese. U. S. v. 13 Cheeses. Default decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22960. I. S. No. 03137. S. No. 1028.)

On or about August 7, 1928, 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 13 cheeses, remaining unsold at Morris Plains, N. J., alleging that the article had been shipped by Price Bros., Philadelphia, Pa., on or about July 25, 1928, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in fat and containing excessive moisture had been substituted in part for the said article, and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 25, 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.*

16121. Adulteration and misbranding of Lee's Creo-Lyptus. U. S. v. 108¾ Dozen Bottles, et al., of Lee's Creo-Lyptus. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23114, 23115. S. Nos. 1207, 1208.)

On October 1, 1928, 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 libels praying seizure and condemnation of 134¾ dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Walter Janvier (Inc.), from New York, N. Y., in various consignments, on or about November 18, 1927, May 15, and May 25, 1928, respectively, and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act as amended.