

On October 29, 1928, the Morgan Packing Co., Austin, Ind., having entered an appearance and having consented to the entry of a decree, judgment of condemnation and confiscation was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that said Morgan Packing Co. pay the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16083. Adulteration of dressed poultry. U. S. v. 1 Keg of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23165. I. S. No. 03057. S. No. 1268.)

On October 27, 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 1 keg of dressed poultry, remaining in the original unbroken package at New York, N. Y., alleging that the article had been shipped by the Topeka Packing Co., from Topeka, Kans., on or about October 12, 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 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 November 16, 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.*

16084. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23164. I. S. No. 03058. S. No. 1267.)

On October 27, 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 1 barrel of frozen poultry, remaining in the original unbroken package at New York, N. Y., alleging that the article had been shipped by Hoffman & Mayer (Inc.), and Union Terminal Cold Storage Co., from Jersey City, N. J., on or about September 27, 1928, and transported from the State of New Jersey 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 November 16, 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.*

16085. Adulteration of canned cherries. U. S. v. 171 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23143. I. S. No. 03143. S. No. 1242.)

On October 15, 1928, the United States attorney for the Eastern District of Pennsylvania, 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 171 cases of canned cherries, remaining in the original unbroken packages at Lancaster, Pa., consigned by F. B. Huxley & Son, Ontario, N. Y., alleging that the article had been shipped from Ontario, N. Y., on or about July 31 and August 8, 1928, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Huxson Brand Pitted Red Sour Cherries * * * Packed by F. B. Huxley & Son, Ontario, N. Y."

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

On November 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.*