

and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3375. Adulteration of red kidney beans. U. S. v. 47 Bags of Beans. Default decree of condemnation and destruction. (F. D. C. No. 6842. Sample No. 83676-E.)

On February 10, 1942, the United States attorney for the Eastern District of Louisiana filed a libel against 47 100-pound bags of beans at New Orleans, La., alleging that the article had been shipped in interstate commerce by Elmer G. Porter from Gaywood, N. Y., on or about February 22, 1941; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "G. L. F. Quality * * * Packed By Cooperative G. L. F. Produce, Inc. Phelps N. Y."

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3376. Adulteration of dried white beans. U. S. v. 60 Bags of Beans. Default decree of condemnation and destruction. (F. D. C. No. 6829. Sample No. 83671-E.)

On February 10, 1942, the United States attorney for the Eastern District of Louisiana filed libels against 60 100-pound bags of beans at New Orleans, La., alleging that the article had been shipped in interstate commerce by Yale Elevator Co. from Yale, Mich., on or about December 7, 1940; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

POULTRY

Nos. 3377 to 3383 report actions based on interstate shipments of poultry that was in whole or in part the product of diseased animals and/or decomposed.

3377. Adulteration of turkeys. U. S. v. John Raymond Clymer (Denison Poultry & Egg Co.). Plea of nolo contendere. Fine, \$50. (F. D. C. No. 5483. Sample No. 56512-E.)

On November 10, 1941, the United States attorney for the Eastern District of Texas filed an information against John Raymond Clymer, trading as Denison Poultry & Egg Co. at Denison, Tex., alleging shipment on or about December 9, 1940, from the State of Texas into the State of New York of a quantity of turkeys that were adulterated in that they were in whole or in part the product of diseased animals.

On April 6, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$50.

3378. Adulteration of dressed poultry. U. S. v. Cranbury Feed, Poultry & Hatchery, Inc., and Michael Pack. Pleas of guilty. Corporation fined \$150 on count 1 and \$1,000 on remaining counts; payment of \$1,000 fine suspended. Individual defendant fined \$100 on count 1; fined \$1,000 on remaining counts with jail sentence of 3 months, but payment of latter fine and imposition of jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 2972. Sample Nos. 34458-E, 34475-E.)

This product was found to consist in part of diseased and emaciated poultry, or of poultry that had died otherwise than by slaughter.

On October 15, 1941, the United States attorney for the District of New Jersey filed an information against Cranbury Feed, Poultry & Hatchery, Inc., Cranbury, N. J., and Michael Pack, alleging shipment in interstate commerce on or about September 27, October 11, and November 29, 1940, from the State of New Jersey into the State of New York of quantities of dressed poultry that was adulterated.

The article was alleged to be adulterated in that it was in whole or in part the product of diseased animals, and in that it was in whole or in part unfit for food. Portions were alleged to be adulterated further in that it was in whole or in part the product of animals which had died otherwise than by slaughter.

On January 30, 1942, pleas of guilty having been entered on behalf of both defendants, the court imposed on the corporation a fine of \$150 on count 1 and

fines of \$500 on each of counts 2 and 3, which latter fines were suspended. The individual defendant was fined \$100 by the court on count 1 and \$500 each on counts 2 and 3 and in addition was given a sentence of 3 months. The jail sentence and the \$500 fines imposed on the individual defendant were suspended by the court, and the defendant was placed on probation for 1 year.

3379. Adulteration of dressed poultry. U. S. v. Furman & Co., Inc., and Jacob Furman. Pleas of guilty. Fines of \$15 and \$10. (F. D. C. No. 2959. Sample No. 34460-E.)

On April 3, 1941, the United States attorney for the District of Massachusetts filed an information against Furman & Co., Inc., a corporation, and Jacob Furman, its president, Canton, Mass., alleging shipment in interstate commerce on or about September 30, 1940, from the State of Massachusetts into the State of New York of a quantity of poultry that was adulterated in that it consisted in whole or in part of the product of diseased animals, namely, diseased poultry.

On April 21, 1942, pleas of guilty were entered on behalf of both defendants and the court imposed a fine of \$15 against the corporation and \$10 against the individual defendant.

3380. Adulteration of poultry. U. S. v. 13 Boxes, 8 Boxes, and 4 Boxes of Fowl. Default decrees of condemnation and destruction. (F. D. C. Nos. 6908 to 6910, incl. Sample Nos. 62452-E to 62454-E, incl.)

On February 5, 1942, the United States attorney for the Northern District of Illinois filed libels against 25 boxes of poultry at Chicago, Ill., alleging that the article had been shipped in interstate commerce within the period from on or about July 24 to on or about October 29, 1941, by Lanesboro Produce & Hatchery Co. from Wells, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, and in that it was in whole or in part the product of diseased animals.

On April 8, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3381. Adulteration of poultry. U. S. v. 13 Barrels of Poultry. Default decree of condemnation and destruction. (F. D. C. No. 7057. Sample No. 69375-E.)

On March 20, 1942, the United States attorney for the Southern District of New York filed a libel against 13 barrels of poultry at New York, N. Y., alleging that the article had been shipped on or about March 10, 1942, by the Eagle Poultry Co. from Frankford, Del.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, decomposed poultry, and was in whole or in part the product of diseased animals. The article was labeled in part: "Blanchard."

On April 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3382. Adulteration of poultry. U. S. v. 3 Barrels of Broilers. Default decree of condemnation and destruction. (F. D. C. No. 6911. Sample No. 62455-E.)

On February 6, 1942, the United States attorney for the Northern District of Illinois filed a libel against 3 barrels of broilers at Chicago, Ill., alleging that the article had been shipped in interstate commerce on January 21, 1942, by the Detroit Refrigerating Co. from Detroit, Mich.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On April 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3383. Adulteration of dressed chickens. U. S. v. 1 Barrel of Dressed Chickens. Default decree of condemnation and destruction. (F. D. C. No. 6907. Sample No. 62451-E.)

On January 23, 1942, the United States attorney for the Northern District of Illinois filed a libel against 1 barrel of dressed chickens at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 31, 1941, by Pruitt Produce Co. from Muskogee, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On April 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.