

On December 17, 1930, 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.*

17878. Adulteration of chestnuts. U. S. v. 150 Barrels of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25482. I. S. No. 1964. S. No. 3755.)

A large part of the chestnuts from the herein-described shipment having been found to be moldy and wormy, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On December 11, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 150 barrels of chestnuts, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Schroeder Bros. (Inc.), from New York, N. Y., on or about November 25, 1930, and transported from the State of New York into the State of California, 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 and decomposed and putrid vegetable substance.

On December 27, 1930, 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.*

17879. Adulteration of butter. U. S. v. Howard Z. Johnson (South Shore Creamery Co.). Plea of guilty. Fine, \$25. (F. & D. No. 25682. I. S. No. 03704.)

Samples of butter from the herein-described shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of South Dakota.

On November 22, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Howard Z. Johnson, trading as the South Shore Creamery Co., Summit, S. Dak., alleging shipment by said defendant, in violation of the food and drugs act, on or about June 21, 1929, from the State of South Dakota into the State of New York, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of Congress of March 4, 1923, which the said article purported to be.

On December 10, 1930, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17880. Adulteration of canned pimientos. U. S. v. 25 Cases of Canned Pimientos. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25349. I. S. No. 4678. S. No. 3620.)

Samples of canned pimientos from the herein-described shipment having been found to be underprocessed and to contain pimientos in an advanced stage of decomposition, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On November 20, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 cases of canned pimientos at New York, N. Y., alleging that the article had been shipped by the Pomona Products Co., Griffin, Ga., on or about September 18, 1930, and transported from the State of Georgia into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Jar) "Sunshine Brand Pimientos * * * First Quality Pomona Products Co., Griffin, Ga."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, to wit, the product was badly underprocessed and contained pimientos in an advanced stage of decomposition.