

shipped in interstate commerce on or about March 25, 1938, by the Olympia Canning Co. from Olympia, Wash.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mountain Home Brand Water Pack Red Sour Pitted Cherries Haas Brothers San Francisco \* \* \* Cal., Distributors."

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On March 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30290. Adulteration of walnut meats. U. S. v. 100 Cases of Walnut Meats (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction.** (F. & D. Nos. 44252, 44289, 44307, 44308. Sample Nos. 36080-D, 43224-D, 43225-D, 43228-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in part insect-infested, moldy, and rancid.

On October 28 and November 4, 7, and 8, 1938, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 100 cases and 75 cartons of walnut meats at Seattle, Wash., and 15 cartons at Tacoma, Wash.; alleging that the article had been shipped on or about October 18 and 28, 1938, by Sunset Nut Shelling Co. from San Francisco, Calif.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On January 24 and February 25, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30291. Adulteration of butter. U. S. v. Page Milk Co. Plea of guilty. Fine, \$50.** (F. & D. No. 42606. Sample Nos. 2765-D, 21739-D, 21740-D.)

This product contained less than 80 percent by weight of milk fat.

On November 26, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Page Milk Co., a corporation trading at Marshall, Mo., alleging shipment by said company in violation of the Food and Drugs Act on or about June 10, 1937, and April 14, 1938, from the State of Missouri into the States of California and Illinois, respectively, of quantities of butter which was adulterated.

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

On February 17, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30292. Adulteration of scallops. U. S. v. Charles T. Maddrix and Herman L. Sterling (Fort Myers Sea Food Co.). Pleas of nolo contendere. Fines, \$40.** (F. & D. No. 42544. Sample Nos. 12220-D to 12223-D, inclusive.)

This product contained an excessive amount of water.

On September 13, 1938, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles T. Maddrix and Herman L. Sterling, copartners trading as Fort Myers Sea Food Co., Fort Myers, Fla., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about March 17, 1938, from the State of Florida into the State of New York of quantities of scallops that were adulterated.

The article was alleged to be adulterated in that water had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength; and in that water had been substituted in part therefor.

On February 20, 1939, pleas of nolo contendere having been entered by the defendants, the court imposed a fine of \$20 against each.

HARRY L. BROWN, *Acting Secretary of Agriculture.*