apricots at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 14, 1938, from Oakland, Calif., by Winchester Dried Fruit Co., San Jose, 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 and decomposed vegetable substance.

On April 5, 1938, Max Ams, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

28829. Adulteration of chestnuts. U. S. v. 67 Baskets of Chestnuts. Default decree of condemnation and destruction. (F. & D. No. 42129. Sample No. 14141–D.)

This product was moldy, wormy, and decomposed.

On March 26, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 67 baskets of chestnuts at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about November 20, 1937, by Manny Cohen Co. from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Crown Brand Selected Green Chestnuts Products of Portugal Benito Garcia, Lda., Exporters, Lisbon, Portugal."

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

On April 11, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

28830. Adulteration of cheese. U. S. v. 3 Cases of Limburger Cheese. Default decree of condemnation and destruction. (F. & D. No. 41808. Sample No. 9513–D.)

This product contained insect fragments and rodent hairs.

On February 23, 1938, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three cases of Limburger cheese at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about November 11, 1937, by J. & H. Van Vleck from Westernville, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fairmont's Limburger New York State Better Cheese Distributed by The Fairmont Creamery Co."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On April 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

28831. Adulteration and misbranding of black pepper. U. S. v. 6 Barrels of Black Pepper. Default decree of condemnation and destruction. (F. & D. No. 42066. Sample No. 688–D.)

This product consisted of ground pepper shells.

On March 29, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six barrels of black pepper at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about January 26 and March 3, 1938, by the Schloss & Kahn Grocery Co. from Montgomery, Ala., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Schloss & Kahn Gro Co. Montgomery Ala Pepper."

It was alleged to be adulterated in that pepper shells had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength; in that pepper shells had been substituted in whole or in part for the article; and in that it had been mixed in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that the statement "Pepper" was false and misleading and tended to deceive and mislead the purchaser when applied to an article that consisted of ground pepper shells; and in that it was offered for sale under the distinctive name of another article, pepper.