DISPOSITION: April 22, 1944. The action pending in the Northern District of Ohio having been removed to the Southern District of New York and consolidated with the action originating in the latter district, and the American Pistachio Corporation, claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

6368. Adulteration of shelled almonds. U. S. v. 27 Boxes of Valencia Almonds (and 3 other seizure actions against shelled almonds). Consent decrees of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. Nos. 11479, 11663, 11853, 11955. Sample Nos. 49016-F, 49017-F, 49197-F, 49306-F, 67411-F.)

LIBEL FILED: Between December 29, 1943, and March 4, 1944, Northern and Southern Districts of Ohio.

ALLEGED SHIPMENT: During the period from on or about October 14, 1943, to February 7, 1944, by T. M. Duche & Sons, Inc., New York, N. Y.

PRODUCT: 50 boxes of almonds at Cleveland, Ohio, and 16 boxes at Columbus, Ohio, each box labeled as containing "28 Lbs."

LABEL, IN PART: "Valencia Almonds * * * Dagger Brand," "Bull Brand * * * Valencia Almonds," or "Dagger Brand * * * Jordan Almonds."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance by reason of the presence of one or more of the following: Webbing, insect excreta, worm-eaten and insect-infested almonds, and decomposed and rancid almonds.

DISPOSITION: Between January 19 and March 22, 1944. Roberto Bros., Inc., Cleveland, Ohio, claimant for one lot at Cleveland, and T. M. Duche & Sons Inc., claimant for the remainder, having admitted the facts in the respective libels, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

6369. Adulteration of Brazil nuts. U. S. v. 13 Bags of Brazil Nuts. Default decree of condemnation and destruction. (F. D. C. No. 11232. Sample No. 49130-F.)

LIBEL FILED: December 3, 1943, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 12, 1942, by the Wm. A. Camp Co., Inc., New York, N. Y.

PRODUCT: 13 100-pound bags of Brazil nuts at Cincinnati, Ohio.

Examination disclosed the presence of moldy, rancid, and decomposed nuts.

LABEL, IN PART: "Tropical Beauties New Crop Large Brazils."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: February 25, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6370. Adulteration of shelled filberts. U. S. v. 8 Bags of Shelled Filberts. Default decree of condemnation. Product ordered denatured and sold. (F. D. C. No. 11517. Sample No. 62547-F.)

LIBEL FILED: December 27, 1943, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 8, 1943, by the Braun Importing Co., Inc., from Philadelphia, Pa.

PRODUCT: 8 bags, each containing about 218 pounds, of shelled filberts at St. Louis, Mo.

LABEL, IN PART: "Bico New York Shelled Filberts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, cocoons, insect excreta, pupae, webbing, and insect fragments.

DISPOSITION: January 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured, under the supervision of the Food and Drug Administration, and sold under such conditions as would insure its disposition in compliance with the law. It was utilized as hog feed.