

determination of the suit, and the court ordered that the defendants be enjoined from shipping any of the grape pulp in interstate commerce pending such determination. On June 24, 1943, the defendants having consented to the entry of a decree, judgment was entered permitting the return shipment to George W. Haxton & Son, Inc., of the various lots of the product held by the storage companies and the J. Hungerford Smith Co., and dismissing the action with respect to all defendants, with the exception of George W. Haxton & Son, Inc., and the officers of that corporation. The decree provided further that George W. Haxton & Son, Inc., and its officers, be permitted to ship in interstate commerce a portion of the product which was not adulterated, but the decree permanently enjoined them from shipping in interstate commerce the remainder of the product.

8426. Adulteration of grape pomace. U. S. v. 110 Sacks of Grape Pomace. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 15069. Sample No. 92968-F.)

LIBEL FILED: January 18, 1945, District of Maryland.

ALLEGED SHIPMENT: On or about October 15, 1942, by Widmer's Wine Cellars, Inc., from Naples, N. Y.

PRODUCT: 110 39-pound sacks of grape pomace at Baltimore, Md.

LABEL, IN PART: (Tags) "S. J. Van Lill Co Baltimore Md."

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 beetles, larvae, and insect fragments.

DISPOSITION: On June 7, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On June 8, 1945, an amendment to the decree was entered, providing for the delivery of the product to a public institution, for use as animal feed or fertilizer.

8427. Adulteration of guava paste. U. S. v. 12 Cartons of Guava Paste. Default decree of condemnation and destruction. (F. D. C. No. 14427. Sample No. 82865-F.)

LIBEL FILED: November 14, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about September 20, 1943, by Charles R. Allen, Charleston, S. C.

PRODUCT: 12 cartons, each containing 4 10-pound slabs, of Cuban guava paste. Examination showed that the product contained rodent hair fragments and insect fragments.

LABEL, IN PART: "Slabs Cuban Guava Paste Packed By: Hijos De Pio Ferros, Enc. Pinar Del Rio Cuba."

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

DISPOSITION: December 14, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8428. Adulteration of glace fruit and assorted fruits. U. S. v. 990 Cartons of Glace Fruit and 634 Cartons of Assorted Fruits. Default decree of condemnation and destruction. (F. D. C. No. 14187. Sample Nos. 73293-F, 73294-F, 73296-F, 73297-F.)

LIBEL FILED: November 3, 1944; amended December 9, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about August 21, 29, and 31, 1944, by Golden Brand Nut Products, Inc., from New York, N. Y.

PRODUCT: 636 2-pound cartons and 354 1-pound cartons of glace fruit, and 400 3-pound cartons and 234 2-pound cartons of assorted fruits at Oakland, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of beetles and insect excreta.

DISPOSITION: February 13, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8429. Adulteration of apple pomace. U. S. v. 835 Sacks of Apple Pomace. Default decree of condemnation. Product ordered delivered to a local hospital. (F. D. C. No. 15070. Sample Nos. 92948-F, 92965-F to 92967-F, incl.)

LIBEL FILED: January 18, 1945, District of Maryland.

ALLEGED SHIPMENT: On or about October 13 and 14, 1943, by Barlow Bros., J. R. Kelly, and the Rosenberg Bros. Co., from Sebastopol, Calif.