

under the supervision of the Federal Security Agency. The remainder, found to be undamaged, was ordered released to the claimant.

**9373. Adulteration of shelled almonds. U. S. v. 5 Boxes of Shelled Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18760. Sample No. 21947-H.)**

**LIBEL FILED:** January 17, 1946, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about August 22, 1945, by the William A. Higgins Co., from New York, N. Y.

**PRODUCT:** 5 boxes, each containing 28 pounds, of shelled almonds at Memphis, Tenn.

**LABEL, IN PART:** "Sweet Marcona Shelled Almonds."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect-eaten pieces.

**DISPOSITION:** January 22, 1946. The National Peanut Corporation, Wilkes-Barre, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**9374. Adulteration of Jordan almonds and shelled almonds. U. S. v. 40 Cases of Jordan Almonds and 5 Bags of Shelled Almonds. Decrees of condemnation. Jordan almonds ordered released under bond; shelled almonds ordered destroyed. (F. D. C. Nos. 18738, 18770. Sample Nos. 24578-H, 35149-H.)**

**LIBELS FILED:** December 26, 1945, and January 2, 1946, Eastern Districts of Missouri and Louisiana.

**ALLEGED SHIPMENT:** On or about September 13 and November 29, 1945, by T. M. Duche and Sons, Inc., from New York, N. Y., and Philadelphia, Pa., respectively.

**PRODUCT:** 40 28-pound cases of Jordan almonds at St. Louis, Mo., and 5 110-pound bags of shelled almonds at New Orleans, La. Examination showed that both products contained larvae and insect excreta, and that, in addition, the Jordan almonds contained insect fragments and the shelled almonds contained weevils.

**LABEL, IN PART:** "Product of Spain Bear Brand \* \* \* Superior Selected Jordan Almonds," or "T M D S Miolo Corrente Product of Portugal Packed by Nunes."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances.

**DISPOSITION:** January 15, 1946. The E. Guckenheim Bakers Supply Co., St. Louis, Mo., claimant for the lot of Jordan almonds, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. On February 15, 1946, no claimant having appeared for the lot of shelled almonds, judgment of condemnation was entered and the product was ordered destroyed.

**9375. Adulteration of sugar-toasted peanuts. U. S. v. 100 Cartons of Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 18684. Sample Nos. 4596-H, 4597-H.)**

**LIBEL FILED:** December 17, 1945, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 17 and 25, 1945, by the Jefferson Candy Co., Bridgeton, N. J.

**PRODUCT:** 100 cartons, each containing 80 packages, of sugar-toasted peanuts at Philadelphia, Pa.

**LABEL, IN PART:** (Package) "ABC Sugar Toasted Peanuts Net Weight 1½ Oz. 5¢ Ingredients: Peanuts Sugar & Flavoring."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts; Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (d), the article was confectionery, and it contained a nonnutritive substance, mineral oil.