

DISPOSITION: 9-28-56. Fine of \$525 against corporation and \$500 against individual, plus costs.

23523. Supplement to notice of judgment on foods, No. 19185. Tomato puree.

VIOLATION OF PROBATION: On 9-17-54, Morris April Bros., a partnership, and Leon April, a partner, the defendants in the case reported in the above-mentioned notice of judgment, were brought before the court on the charge of violating the terms of probation which were imposed against them in that case. The charge was based on the allegation that the defendants, on 8-10-54, sold for use in foods which move in interstate commerce a quantity of tomato puree which contained mold.

PLEA: Guilty.

DISPOSITION: 6-20-55. The court fined the partnership \$100 and continued the probation of the defendants.

NUTS

23524. Shelled almonds. (F. D. C. No. 39531. S. No. 40-667 M.)

QUANTITY: 3 110-lb. bags at St. Paul, Minn., in possession of Booth Cold Storage Co.

SHIPPED: 9-23-55, from New York, N. Y.

LIBELED: 8-21-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained rodent excreta and rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 10-5-56. Default—consumption by animals.

23525. Cashew nuts. (F. D. C. No. 39186. S. No. 41-055 M.)

QUANTITY: 24 25-lb. cans at Minneapolis, Minn.

SHIPPED: 6-21-56, from New York, N. Y., by Gill & Duffus, Inc.

LABEL IN PART: "Cashew Kernels Produce of India."

LIBELED: 8-8-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained insects when shipped.

DISPOSITION: 9-19-56. Default—destruction.

23526. Canned water chestnuts. (F. D. C. No. 39178. S. No. 40-889 M.)

QUANTITY: 796 cases, 6 No. 10 cans each, at Duluth, Minn.

SHIPPED: 6-20-56, from Los Angeles, Calif., by Sam Ward & Co.

LABEL IN PART: (Can) "Water Chestnut Tung Chun Canning Company
* * * Net Weight 5 lbs. Made in Hongkong."

LIBELED: 8-1-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 10-24-56. Consent—claimed by East Asiatic Co., Inc., Los Angeles, Calif. Segregated; 10,309½ lbs. destroyed.

23527. Shelled peanuts. (F. D. C. No. 39532. S. No. 40-666 M.)

QUANTITY: 250 100-lb. bags at St. Paul, Minn., in possession of Pearson Candy Co.

SHIPPED: 2-29-56, from Petersburg, Va.

LIBELED: 8-21-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained rodent excreta and rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 8-29-56. Consent—claimed by Pearson Candy Co. Segregated; 1,999 lbs. destroyed.

23528. Shelled peanuts. (F. D. C. No. 39561. S. No. 55-029 M.)

QUANTITY: 43 120-lb. bags at Evansville, Ind.

SHIPPED: 7-26-56, from Dawson, Ga.

LIBELED: 9-17-56, S. Dist. Ind.

CHARGE: 402 (a) (3)—contained insects and insect-infested nuts while held for sale.

DISPOSITION: 5-15-57. Consent—claimed by Southern Cotton Oil Co., Dawson, Ga. Segregation of the article being unsuccessful, it was destroyed.

23529. Pistachio nuts, sunflower seed, and pumpkin seed. (F. D. C. No. 39502. S. Nos. 62-061/3 M.)

QUANTITY: 48 160-lb. bags of pistachio nuts, 44 100-lb. bags of raw sunflower seed, 5 100-lb. bags of roasted sunflower seed, and 12 126-lb. bags and 1 60-lb. bag of pumpkin seed at Bronx, N. Y.

SHIPPED: 6-27-56 and 8-27-56 (48-bag lot), from Alep, Syria; 2-10-56 (44- and 5-bag lots), from Berkeley, Calif.; and 5-30-55 (12- and 1-bag lots), from Zacatecas, Mexico.

LIBELED: 10-15-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—all articles contained insects, and the sunflower seed contained also insect excreta while held for sale.

DISPOSITION: 11-1-56. Consent—claimed by Agress Nut & Seed Co., Bronx, N. Y. Segregated; 140 lbs. of nuts, 300 lbs. of sunflower seed, and 70 lbs. of pumpkin seed destroyed.

23530. Sunflower seed. (F. D. C. No. 39517. S. No. 52-665 M.)

QUANTITY: 5 100-lb. bags at New York, N. Y.

SHIPPED: 2-10-56, from Berkeley, Calif.

LIBELED: 10-15-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 11-23-56. Default—destruction.

23531. Shelled walnuts. (F. D. C. No. 39463. S. No. 52-092 M.)

QUANTITY: 72 55-lb. cases at New York, N. Y.

SHIPPED: 3-2-55, from Iran.

LIBELED: 9-20-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained insect-infested nuts and rancid nuts while held for sale.

DISPOSITION: 12-10-56. Default—destruction.

23532. Shelled walnuts. (F. D. C. No. 39518. S. No. 41-056 M.)

QUANTITY: 10 55-lb. boxes at Minneapolis, Minn.

SHIPPED: 6-22-56, from New York, N. Y., by Pool Car Association.