

was adulteration as to one of the shipments and not as to the other, you will indicate by your verdict the count upon which you acquit and the count upon which you convict, bearing in mind that the first count sets forth the shipment of January 2nd, 1943, from Fremont to St. Paul, and that the second count sets forth the shipment from Fremont to Los Angeles, on September 12th, 1942."

On November 20, 1944, the jury, after due deliberation, returned a verdict of not guilty.

**7809. Adulteration of dried, unpitted apricots. U. S. v. 95 Cases of Dried Unpitted Apricots. Decree ordering that the product be released under bond. (F. D. C. No. 14936. Sample No. 73027-F.)**

**LIBEL FILED:** January 3, 1945, Northern District of California.

**ALLEGED SHIPMENT:** On or about December 8, 1944, by the Callahan Supply Co., from Seattle, Wash.

**PRODUCT:** 95 25-pound cases of dried, unpitted apricots at San Francisco, Calif.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy and decomposed substances by reason of the presence of larvae, insect excreta, and moldy apricots.

**DISPOSITION:** January 31, 1945. The Albert Asher Co., San Francisco, Calif., having appeared as claimant, judgment was entered ordering that the product be released under bond to be brought into compliance with the law, under the direction of the Food and Drug Administration.

**7810. Adulteration of prunes. U. S. v. 135 Boxes of Prunes. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14836. Sample No. 89980-F.)**

**LIBEL FILED:** January 2, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about December 22, 1942, by the Rosenberg Bros. Co., from Myrtle Creek, Oreg.

**PRODUCT:** 135 25-pound boxes of prunes at St. Louis, Mo.

**LABEL, IN PART:** "Atlas Brand Prunes."

**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 insect fragments and rodent hair fragments.

**DISPOSITION:** February 12, 1945. The Bohn-Lenartz Co., a corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law, and that such portions as should not be passed as fit for food by the Food & Drug Administration be destroyed.

**7811. Adulteration of raisins. U. S. v. 179 Cases of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 14991. Sample No. 74740-F.)**

**LIBEL FILED:** On or about January 19, 1945, District of Oregon.

**ALLEGED SHIPMENT:** On or about June 23, 1944, by the Puccinelli Packing Co., from Turlock, Calif.

**PRODUCT:** 179 30-pound cases of raisins at Portland, Oreg.

**LABEL, IN PART:** "Alma Brand Thompson Seedless Raisins."

**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 and larvae.

**DISPOSITION:** February 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7812. Adulteration of raisins. U. S. v. 215 Cases of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 15005. Sample No. 74741-F.)**

**LIBEL FILED:** January 22, 1945, District of Oregon.

**ALLEGED SHIPMENT:** On or about July 22, 1944, by the Central California Packing Co., from Del Rey, Calif.

**PRODUCT:** 215 30-pound cases of raisins, at Portland, Oreg.

**LABEL, IN PART:** "Del Cara Brand Thompson Seedless Raisins."

**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 excreta.