RESULTS OF INVESTIGATION: The articles in both actions had been held under insanitary conditions in a rodent-infested warehouse at the Maher Terminal Warehouse Corp., Port Newark, N.J.

LIBELED: 3-26-64, Dist. N.J.; 4-9-64, Dist. Colo.

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

DISPOSITION: The articles in both actions were claimed by Lawnelson Corp., New York, N.Y., and on 4-23-64, pursuant to stipulation, the action in the District of Colorado was transferred to the District of New Jersey for consolidation of both actions.

On 4-28-64, a consent decree of condemnation was filed. Thereafter, pursuant to that decree, the articles were segregated and reconditioned under bond; 111 cases were destroyed.

29884. Dried apricots. (F.D.C. No. 45646 A. S. No. 25-726 T.)

QUANTITY: 15 25-lb. cases at Detroit, Mich.

SHIPPED: 9-27-61, from Merced, Calif., by Yosemite Farm.

LABEL IN PART: (Case) "Organically Grown Medium Uns. Apricots Yosemite Farm Merced, Calif. California Fruits."

LIBELED: 11-28-61, E. Dist. Mich.

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

DISPOSITION: 9-14-62. Default—destruction.

29885. Dried apricots, dried peaches, and sesame seeds. (F.D.C. No. 49904. S. Nos. 12-386/8 A.)

QUANTITY: 35 30-lb. cases of apricots, 19 30-lb. cases of peaches, and 4¾ 100-lb. bags of sesame seeds, at Boston, Mass., in possession of J. Sklar & Co., Inc.

SHIPPED: Between 3-1-63 and 10-30-63, from San Jose, Calif., and New York, N.Y.

LIBELED: 3-6-64, Dist. Mass.

CHARGE: 402(a)(3)—contained insects (all lots), insect fragments and excreta (peaches and sesame seed), bat excreta (sesame seed), and a decomposed fruit material (peaches); and 402(a)(4)—held under insanitary conditions (peaches and apricots).

DISPOSITION: 10-5-64. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

29886. Fresh cabbage. (F.D.C. No. 49281. S. Nos. 553 X, 2-416 X.)

QUANTITY: 125 unlabeled 50-lb. crates at Miami, Fla.

SHIPPED: 8-8-63, from Hendersonville, N.C., by J. R. Thomas Produce Co.

LIBELED: 8-23-63, S. Dist. Fla.

CHARGE: 402(a)(2)(B)—when shipped, the article contained a pesticide chemical, toxaphene, which was unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the cabbage was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 8-27-63. Consent—destruction.

*See also Nos. 29816, 29858.