

dered suitable for use in connection with the processing and storage of pinto beans, Great Northern beans, and red beans for human consumption and any similar article of food, to wit, unless and until all rodent infestation in and about said structure was eliminated, the means of ingress and egress of said structure by rodents, rabbits, cats, and birds were closed, and any similar insanitary conditions which might result in pinto beans, Great Northern beans, or red beans for human consumption being contaminated with filth while processed or stored in said structure were eliminated, and (b) all of the pinto beans, Great Northern beans, and red beans which were on hand in said structure at the time said structure was cleaned, renovated, and rendered suitable for the processing and storing of food for human consumption, were destroyed, denatured for use as animal feed, cleaned, or reconditioned under the supervision of a duly authorized representative of the Food and Drug Administration, Department of Health, Education, and Welfare, and all expenses of such supervision paid by the defendants.

**30056. Dried pinto beans.** (F.D.C. No. 50502. S. No. 98-449 A.)

QUANTITY: 420 100-lb. bags at Stockton, Calif., in possession of Valley Bean Warehouse, Inc.

SHIPPED: 7-1-64, from Twin Falls, Idaho.

LIBELED: 8-18-64, N. Dist. Calif.

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

DISPOSITION: 10-6-64. Consent—claimed by Klein Bros., Inc., Stockton, Calif., and denatured for use as seed.

**30057. Dried pinto beans.** (F.D.C. No. 50250. S. No. 96-801 A.)

QUANTITY: 430 100-lb. bags at Manteca, Calif.

SHIPPED: 5-21-64, from Wendell, Idaho, by Shields.

LABEL IN PART: (Bag) "Pinto Beans Packed by Wendell Elevator Co. Wendell, Idaho."

RESULTS OF INVESTIGATION: Inspection of packer, Wendell Elevator Co., Wendell, Idaho, showed article had been held prior to shipment in a rodent-infested warehouse.

LIBELED: 7-9-64, N. Dist. Calif.

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

DISPOSITION: 11-5-64. Consent—claimed by James T. Shields, James H. Shields, Jr., and Jane Shields Redman, t/a Shields, a partnership, Buhl, Idaho. Segregated and reconditioned; 400 lbs. destroyed.

**30058. Dried Great Northern beans.** (F.D.C. No. 50241. S. Nos. 96-802/3 A.)

QUANTITY: 430 100-lb. bags at Manteca, Calif., in possession of Manteca Bean Co.

SHIPPED: 3-16-64, from Buhl, Idaho.

LIBELED: 6-29-64, N. Dist. Calif.

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

**DISPOSITION:** 11-5-64. Consent—claimed by James T. Shields, James H. Shields, Jr., and Jane Shields Redman, t/a Shields, a partnership, Buhl, Idaho, and reconditioned.

**30059. Dried Great Northern beans.** (F.D.C. No. 50499. S. No. 98-448 A.)

**QUANTITY:** 440 100-lb. bags at Stockton, Calif., in possession of Valley Bean Warehouse, Inc.

**SHIPPED:** 4-16-64, from Milner, Idaho.

**LIBELED:** 8-10-64, N. Dist. Calif.

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

**DISPOSITION:** 10-6-64. Consent—claimed by Bean Growers Association, Inc., Twin Falls, Idaho. Segregated and reconditioned; 400 lbs. segregated as unfit.

**30060. Canned mixed vegetables (2 seizure actions).** (F.D.C. Nos. 50719; 50752. S. Nos. 35-882/3 A; 128-215 A.)

**QUANTITY:** 876 cases, of 6 cans each, at Cincinnati, Ohio; and 232 cases, of 6 cans each, at Toledo, Ohio.

**SHIPPED:** Between 8-29-64 and 8-31-64, from Green Bay, Wis.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing progressive decomposition.

**LIBELED:** 10-14-64, S. Dist. Ohio; 11-27-64, N. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.

**DISPOSITION:** 11-24-64; 12-24-64. Consent—claimed by the Larsen Co., Green Bay, Wis. Segregated; 413 cans destroyed.

**30061. Celery.** (F.D.C. No. 50737. S. No. 64-225 A.)

**QUANTITY:** 340 crates containing 36 stalks, and 200 crates containing 30 stalks, at Nashville, Tenn.

**SHIPPED:** 11-3-64, from Norwalk, Calif., by Marshburn Farms.

**LABEL IN PART:** (Crate) "California Celery Marshburn Growers, Packers, Shippers \* \* \* Norwalk, Calif."

**RESULTS OF INVESTIGATION:** Examination indicated that the article contained approximately 9.4 ppm. of toxaphene and approximately 4.5 ppm. of DDT.

**LIBELED:** 11-13-64, M. Dist. Tenn.

**CHARGE:** 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained pesticide chemicals, toxaphene and DDT, which were unsafe within the meaning of 408(a), since the total quantity of such pesticide chemicals on the articles was not within the limits of tolerance prescribed by regulations.

**DISPOSITION:** 11-23-64. Default—destruction.

**30062. Parsley.** (F.D.C. No. 49675. S. No. 77-756 X.)

**QUANTITY:** 400 crates, each containing 5 dozen bunches, at New York, N.Y.

**SHIPPED:** 12-11-63, from Weslaco, Tex., by J. S. McManus Produce Co.

**LABEL IN PART:** (Crate) "Packed and Shipped by J. S. McManus Produce Co. Main Office Weslaco, Texas SHIRLEY VEGETABLES Produce of U.S.A. \* \* \* Curley Parsley."

**LIBELED:** On or about 1-2-64, S. Dist. N.Y.