

**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.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, endrin, which was unsafe within the meaning of 408(a) since no tolerance or exemption for such pesticide chemical on parsley had been prescribed by regulations.

DISPOSITION: 2-4-64. Default—destruction.

**30063. Hot chili mix.** (F.D.C. No. 49412. S. No. 28-286 X.)

QUANTITY: 25 cases, each containing 12 1-pt. jars, at Kansas City, Mo.

SHIPPED: 9-6-63, from Rosemead, Calif., by La Victoria Foods, Inc.

LABEL IN PART: (Jar) "La Victoria Brand Hot Chili Mix \* \* \* Packed by La Victoria Foods, Inc., Rosemead, Calif."

LIBELED: On or about 10-10-63, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insects and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 12-5-63. Default—destruction.

**30064. Sweet pickles and cucumbers.** (F.D.C. No. 50716. S. Nos. 68-075/76 A, 68-078 A.)

QUANTITY: 145 gals. of sweet pickles; 130 bushels of cucumbers in unlabeled salting tank No. 40; and 150 bushels of cucumbers in unlabeled salting tank No. 32; at Minneapolis, Minn., in possession of Pa-Wray Pickle Co., Inc.

SHIPPED: Between 1-1-63 and 8-30-63, from Wautoma, Wis.

RESULTS OF INVESTIGATION: The articles had been shipped as fresh cucumbers and had been placed in brine and processed by the dealer.

LIBELED: 10-9-64, Dist. Minn.

CHARGE: 402(a)(3)—contained insects, maggots, and insect fragments; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 11-20-64. Consent—claimed by Pa-Wray Pickle Co. The sweet pickles were destroyed; the other articles were reconditioned and segregated; 13 bushels of cucumbers were destroyed.

**30065. Sweet mixed pickles and sweet pickle chips.** (F.D.C. No. 49694. S. Nos. 31-411 X, 31-423 X.)

INFORMATION FILED: 4-30-64, against David Neiman, t/a Finer Made Pickle Co., Los Angeles, Calif.

ALLEGED VIOLATIONS: Between 5-20-63 and 6-6-63, adulterated sweet mixed pickles were shipped to Las Vegas, Nev., from Los Angeles, Calif. On 1-24-62, the defendant gave to a firm engaged in the business of shipping various foods, including pickle products, in interstate commerce, a guaranty that all merchandise sold and delivered to such firm by the defendant was not adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act. On 8-5-63, the defendant caused a number of jars of sweet pickle chips which were adulterated to be delivered at Los Angeles, Calif., to the holder of the guaranty.

LABEL IN PART: (Jars) "Finer Made Net Contents 1 gal. Sweet Mixed Pickles Packed By Finer Made Pickle Co. Los Angeles, Calif.," and "Golden Ray SWEET PICKLE CHIPS."

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared, packed, and held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-23-64. \$2,000 fine.