CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents, since the label statements "Net Contents 1 Fl. Gallon" and "Net Dr. Wt. 96 Ozs." were inaccurate.

DISPOSITION: 10–5–62. Default—ordered distributed to charitable institutions.

28766. Pickles. (F.D.C. No. 48499. S. Nos. 16–981/2 V.)

QUANTITY: 112 cases, each containing 12 12-oz. jars of sweet gherkins; and 334 cases, each containing 12 12-oz. jars of sweet gherkins, at Indianapolis, Ind.

SHIPPED: 10–19–62 and 11–9–62, from Celina, Ohio, by Stokely-Van Camp, Inc.

LABEL IN PART: (Jar) "Stokely's Finest Sweet Gerkins [or "Sweet Pickles"] * * * Dist. By Stokely-Van Camp, Inc., Indianapolis, Indiana."

LIBELED: 1–4–63, S. Dist. Ind.

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

DISPOSITION: 2–28–63. Default—destruction.

TOMATOES AND TOMATO PRODUCTS

28767. Canned tomatoes. (F.D.C. No. 48470. S. No. 47–141 V.)

QUANTITY: 180 cases, each containing 24 1-lb. cans, at Murphysboro, Ill.

SHIPPED: 9–3–62, from Campbellsburg, Ind., by Preston Rider Packing Co.

LABEL IN PART: (Can) "Rider's Best * * * Tomatoes Preston Rider Packing Co., Campbellsburg, Ind."

LIBELED: 11–29–62, E. Dist. Ill.

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

DISPOSITION: 1–2–63. Default—destruction.

28768. Canned tomatoes. (F.D.C. No. 48379. S. No. 18–670 V.)

QUANTITY: 150 cases, 24 1-lb. cans each, at Sayre, Okla.

SHIPPED: 9–19–62, from Pea Ridge, Ark., by Pea Ridge Canning Co.

LABEL IN PART: (Can) "Rogers Brand Hand Packed Tomatoes * * * Packed by Pea Ridge Canning Co. Division of Rogers Vinegar Co. Rogers, Arkansas."

LIBELED: 12–12–62, W. Dist. Okla.

CHARGE: 402(a)(3)—when shipped, contained *Drosophila* and scavenger fly eggs, and *Drosophila*, scavenger and housefly maggots; 402(a)(4)—prepared and packed under insanitary conditions; and 403(h)(1)—the quality of the article fell below the standard of quality for canned tomatoes since the article contained tomato peel in excess of one square inch per pound of canned tomatoes, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 1–9–63. Default—97 cases delivered to a Federal institution for use as animal feed.

28769. Canned tomatoes. (F.D.C. No. 48462. S. No. 24–794 V.)

QUANTITY: 155 cases, 24 1-lb. cans, at Youngstown, Ohio.

SHIPPED: 9–9–62, from Bethlehem, Md., by J. T. Harrison & Associates.

LABEL IN PART: (Can) "JD Garden Gem Tomatoes."

LIBELED: 12–11–62, N. Dist. Ohio.