PLEA: Nolo contendere.

DISPOSITION: 5–14–62. $1,000 fine.

28450. Apple jelly. (F.D.C. No. 47507. S. No. 11–281 T.)

QUANTITY: 74 cases, 12 12-oz. jars each, at Youngstown, Ohio.

SHIPPED: 1–19–62 and 3–27–62, from Fredonia, N.Y., by Red Wing Co., Inc.

LABEL IN PART: (Jar) "Jellies Orchard Park Cinnamon Flavored Apple Certified Color Added Orchard Park Foods, Inc., Buffalo, N.Y.—Distributor."

RESULTS OF INVESTIGATION: Examination showed that the article contained a noncertified coal-tar color, namely, External D&C Red No. 15 (formerly FD&C Red No. 1) not listed for coloring foods.

LIBELED: 5–29–62, N. Dist. Ohio.

CHARGE: 402(c)—when shipped, the article contained a color additive, namely, a noncertified coal-tar color, which was unsafe within the meaning of section 706(a) since its use or intended use was not in conformity with a regulation or exemption in effect pursuant to section 706.

DISPOSITION: 8–13–62. Default—destruction.

28451. Pineapple preserves. (F.D.C. No. 46531. S. No. 15–250 T.)

QUANTITY: 2,167 cases, 12 2-lb. jars each, at Columbus, Ohio.

SHIPPED: 7–10–61, from Brooklyn, N.Y.

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

LIBELED: 11–13–61, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained decomposed pineapple material while held for sale.

DISPOSITION: 1–12–62; amended decree 2–16–62. Consent—claimed by Fruitcrest Corp., Brooklyn, N.Y. Segregated; 751 jars destroyed.

VEGETABLES AND VEGETABLE PRODUCTS*

28452. Dried Great Northern beans. (F.D.C. No. 47805. S. No. 68–096 T.)

QUANTITY: 22 100-lb. bags at Springfield, Mo., in possession of Ozark Wholesale Supply Co., Inc.

SHIPPED: 10–20–61 and 1–3–62, from Denver, Colo.

LIBELED: On or about 7–20–62, W. Dist. Mo.

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

DISPOSITION: 9–18–62. Default—destruction.

28453. Dried lima beans and dried kidney beans. (F.D.C. No. 47426. S. Nos. 17–084 T, 17–094 T.)

QUANTITY: 66 100-lb. bags of lima beans and 366 100-lb. bags of kidney beans, at Austin, Ind., in possession of Morgan Packing Co.

SHIPPED: 12–29–61 and 2–8–62, from San Francisco, Calif.

LIBELED: 4–6–62, S. Dist. Ind.

CHARGE: 402(a)(4)—held under insanitary conditions.

*See also No. 28404.