

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 5-3-62, E. Dist. N.Y.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 5-29-62. Consent—claimed by Goodman Products Corp., Brooklyn, N.Y., and released under bond for repacking and relabeling.

27963. Diced fruit. (F.D.C. No. 46615. S. No. 39-746 T.)

QUANTITY: 350 35-lb. cans at Brooklyn, N.Y.

SHIPPED: 10-7-61, from North East, Pa., by Ohio Fruit Products Co., Inc.

LABEL IN PART: (Can) “* * * 35 lbs. Diced Fruit Mix No. 3 Lot 5748 Ohio Fruit Prod. Co. No. East, Pa.”

LIBELED: 12-28-61, E. Dist. N.Y.

CHARGE: 402(a) (3)—contained *Drosophila* flies; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 2-19-62. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS

27964. Water-damaged asparagus, groceries, and honey in jars. (F.D.C. No. 44983. S. No. 35-982 R.)

QUANTITY: 48 cartons, totaling 788 lbs. of asparagus; 48 cartons, totaling 1,488 lbs. of groceries; and 48 cartons, totaling 1,488 lbs. of honey in jars, at Brooklyn, N.Y.

SHIPPED: On 8-26-60, the articles were delivered to a shipper in Brooklyn, N.Y., for shipment to Iceland.

RESULTS OF INVESTIGATION: Inspection showed that the articles had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the articles were stored.

LIBELED: 10-13-60, E. Dist. N.Y.

CHARGE: 402(a) (4)—held under insanitary conditions while in interstate commerce.

DISPOSITION: 7-12-61. Consent—destruction.

27965. Dried Great Northern beans. (F.D.C. No. 45574. S. Nos. 17-454 R.)

INFORMATION FILED: 6-26-61, Dist. Colo., against the Northern Bean Co., a corporation, Eaton, Colo., and Ralph A. Strong, secretary-treasurer and general manager.

ALLEGED VIOLATIONS: Between 9-17-59 and 7-12-60, while quantities of Great Northern beans were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building accessible to and infested with rodents and to be exposed to contamination by rodents, which acts resulted in the article being adulterated.

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

PLEA: Guilty.