

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.

DISPOSITION: 10-6-61. Corporation fined \$100; individual placed on probation for 2 years.

27966. Dried red beans. (F.D.C. No. 46428. S. Nos. 50-556/7 R, 51-852/5 R.)

QUANTITY: 5,452 100-lb. bags at Buhl, Idaho.

SHIPPED: Between 6-5-61 and 6-22-61, from Wenatchee, Wash., by Northwest Pea & Bean Co.

LABEL IN PART: "Quincy Brand Washington Beans Small Red Packed by Mid-Valley Warehouse Co. Quincy, Wash."

LIBELED: 9-6-61, Dist. Idaho.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, Dieldrin, which is unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 12-15-61. Consent—claimed by James H. Shields, Jr., James T. Shields, and Jane Shields Redman, t/a Shields, Buhl, Idaho, and denatured for use as seed beans.

27967. Split peas. (F.D.C. No. 46446. S. No. 80-962/3 R.)

QUANTITY: 12 100-lb. bags at Boston, Mass.

SHIPPED: 2-8-61 and 5-1-61, from Spokane, Wash.

LIBELED: 9-11-61, Dist. Mass.

CHARGE: 402(a)(3)—contained live insect larvae, insect parts, insect pupae, and insect excreta while held for sale.

DISPOSITION: 10-17-61. Default—delivered to a public institution for use as animal feed.

27968. Dried soybeans. (F.D.C. No. 46530. S. No. 45-564 T.)

QUANTITY: 100,000 lbs. at Memphis, Tenn.

SHIPPED: 10-26-61, from Phillip, Miss., by Phillip Bean Elevator.

LIBELED: 11-14-61, W. Dist. Tenn.

CHARGE: 402(a)(1)—when shipped, contained crotalaria seeds, a poisonous or deleterious substance, in a quantity which ordinarily renders the article injurious to health.

DISPOSITION: 11-29-61. Consent—claimed by Phillip Bean Elevator Co. Segregated; 5,900 lbs. destroyed.

27969. Dried pinto beans. (F.D.C. No. 46044. S. No. 51-023 R.)

QUANTITY: 400 100-lb. bags at Hynes Siding, Idaho.

SHIPPED: 6-3-61, from Twin Falls, Idaho, by W. J. Peters Warehouse Co., and returned, 6-6-61, from Stockton, Calif.

LABEL IN PART: (Bag) "Idaho Pinto Beans Packed by W. J. Peters Warehouse Company, Paul and Twin Falls, Idaho."

LIBELED: 6-29-61, Dist. Idaho.

CHARGE: 402(a)(3)—contained rodent urine when shipped.

DISPOSITION: 9-6-61. Consent—claimed by William J. Peters and converted for use as seed.