RESULTS OF INVESTIGATION: Examination showed that the article contained unpitted cherries, averaging 4.5 pits per 20 ounces of cherries.

LIBELED: 10–10–60, Dist. Md.

CHARGE: 402(b)(2)—when shipped, unpitted cherries had been substituted for pitted cherries; and 403(b)—the article was offered for sale under the name of another food, namely, "RSP Cherries," which is a name for red sour pitted cherries.

DISPOSITION: 11–1–60. Default—destruction.

27028. Frozen strawberries. (F.D.C. No. 45112. S. No. 32–546 R.)

QUANTITY: 175 30-lb. cans at Brooklyn, N.Y.

SHIPPED: 10–17–60, from Vineland, N.J.

LIBELED: 12–5–60, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained mashed and dirty berries, wood splinters, cork, grass, leaves, and miscellaneous dirt while held for sale.

DISPOSITION: 2–9–61. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS

27029. Canned cut green beans. (F.D.C. No. 44750. S. No. 3–644 R.)

QUANTITY: 189 cases, 24 15½-oz. cans each, at Norfolk, Va.

SHIPPED: 6–25–60, from Williamston, N.C., by Martindale Foods, Inc.

LABEL IN PART: (Can) "Martindale Brand Cut Green Beans * * * Packed by Martindale Foods, Inc., Williamston, N.C. Weldon, N.C."

LIBELED: 8–3–60, E. Dist. Va.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned cut green beans since the deseeded pods contained more than 0.15 percent by weight of fibrous material, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 9–15–60 and 2–10–61. Consent—claimed by Martindale Foods, Inc., and delivered to a charitable institution.

27030. Dried lima beans. (F.D.C. No. 45113. S. No. 46–279 R.)

QUANTITY: 24 1-lb. bags at Savannah, Ga.

SHIPPED: 3–7–60, from Oxnard, Calif.

LIBELED: 12–7–60, S. Dist. Ga.

CHARGE: 402(a)(3)—contained insects and insect fragments while held for sale.

DISPOSITION: 1–10–61. Default—delivered to a charitable institution for use as animal feed.

27031. Soybeans (16 seizure actions). (F.D.C. Nos. 45119, 45125, 45273, 45279, 45291, 45292, 45294, 45295, 45296, 45298, 45299, 45306, 45313, 45314, 45315, 45337. S. Nos. 3–330 R, 3–651/7 R, 4–568/70 R, 4–859/60 R, 5–411/3 R, 5–436 R, 5–456 R, 5–601/8 R, 5–873/4 R, 6–084 R, 6–161 R, 64–982/9 R.)

QUANTITY: 562,800 lbs. at Norfolk, Va., and 3,216,880 lbs. at Portsmouth, Va.