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.

SHIPPED: Between 11-14-60 and 11-23-60, from Raleigh and Maxton, N.C., by Ralston Purina Co.; between 11-15-60 and 11-28-60, from Maxton, N.C., by Maxton Oil & Fertilizer Co.; between 11-14-60 and 11-21-60, from St. Paul and Hope Mills, N.C., by Parnell & McColl, Inc.; between 11-11-60 and 11-18-60, from Ehrhardt, S.C., by G. D. Varn; 11-14-60 and 11-18-60, from Dillon, S.C., by Bethea Coal & Distributing Co.; 11-14-60 and 11-15-60, from Denmark, S.C., by J. W. Williamson, Jr.; 11-16-60, from Holly Hill, S.C., by Harvey & Rhame Co.; between 11-17-60 and 12-9-60, from Sumter, S.C., by Sumter Grain Co., Inc.; 12-2-60, from Sumter, S.C., by F. C. X. Wholesale Co.; and 11-17-60, from Laurel Hill, N.C., by Z. V. Pate, Inc.

LIBELED: On various dates between 11-29-60 and 1-9-61, E. Dist. Va.

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

DISPOSITION: 1-16-61. Consent—claimed by the shippers of the article and reconditioned to remove the Crotalaria seeds.

NUTS AND NUT PRODUCTS

27032. Unshelled filberts. (F.D.C. No. 45103. S. No. 58-623 R.)

QUANTITY: 200 100-lb. bags at Chicago, Ill.

SHIPPED: 10-31-60, from Portland, Oreg., by Hudson House, Inc.

LABEL IN PART: (Bag) "Pride of Oregon Brand Barcelona Large."

LIBELED: 11-18-60, N. Dist. Ill.

CHARGE: 402(a)(3)—contained insect-infested nuts, shriveled nuts, and empty shells when shipped.

DISPOSITION: 1-9-61. Consent—claimed by Hudson House, Inc. Segregated; 371 lbs. destroyed.

27033. Unshelled peanuts. (F.D.C. No. 45073. S. No. 11-748 R.)

QUANTITY: 80 90-lb. bags at Chicago, Ill.

SHIPPED: 7-15-60, from Franklin, Va.

LIBELED: 11-1-60, N. Dist. Ill.

CHARGE: 402(a)(3)—contained insects and moldy, decomposed nuts while held for sale.

DISPOSITION: 11-30-60. Default—destruction.

27034. Shelled walnuts. (F.D.C. No. 44897. S. No. 44-030 R.)

QUANTITY: 202 16-oz. bags, 712 11-oz. bags, 983 7-oz. bags, and 1,288 4-oz. bags, at Seattle, Wash.

SHIPPED: Between 12-1-59 and 1-13-60, from Modesto, Calif.

LIBELED: 9-19-60, W. Dist. Wash.

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

DISPOSITION: 9-30-60. Consent—claimed by Foodland, Inc., Seattle, Wash. Segregation was unsuccessful and the nuts were destroyed.

27035. Coconuts. (F.D.C. No. 45009. S. No. 33-554 R.)

QUANTITY: 40 sacks at Brooklyn, N.Y.