CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, aminotriazole, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on cranberries has been prescribed by regulations.

DISPOSITION: 12–8–59. Default—destruction.

MISCELLANEOUS FRUIT PRODUCT

26076. Orange juice. (F.D.C. Nos. 41919, 42011. S. Nos. 7–047/50 P, 7–584 P.)

QUANTITY: 741 cases, 24 18-oz cans each, and 1,249 cases, 12 46-oz. cans each, at East Hartford, Conn., and 262 cases, 24 1-pt. 2-oz. cans each, at East Providence, R.I.

SHIPPED: Between 1–14–58 and 5–2–58, from Anaheim, Calif., by E. A. Silzle Corp.

LABEL IN PART: (Can) "'YOR' Garden California Unsweetened Orange Juice * * * First National Stores Inc. Distributors Somerville, Mass."

LIBELED: 7–15–58 and 8–29–58, Dist. Conn., and Dist. R.I.

CHARGE: 402(b)(2)—water had been substituted in part for orange juice; and 403(a)—the label statement "Orange Juice" was false and misleading as applied to an article composed of orange juice and water.

DISPOSITION: 9–1–59. E. A. Silzle Corp., having appeared as claimant and the libel action in Rhode Island having been removed to the District of Connecticut and consolidated with the libel action there pending, and the claimant having consented, judgment of condemnation was entered and the court ordered that the product be released under bond. The decree provided that the claimant should place labels on the article bearing the following statements: "For use as Orange Drink by the State of Connecticut only, not for dietetic purposes. Not to be resold under penalty of Federal law," and that the claimant should dispose of the article by sale for institutional purposes to the State of Connecticut.

JAMS

26077. Boysenberry jam and red raspberry jam. (F.D.C. No. 43592. S. Nos. 53–234 P, 53–237 P.)

QUANTITY: 49 cases, 12 2-lb. 11-oz. jars each, of boysenberry jam, and 73 cases, 12 10-oz. jars each, of red raspberry jam, at Phoenix, Ariz.

SHIPPED: Between 4–6–59 and 9–15–59, from Los Angeles, Calif., by Dixie Preserves, Ltd.

LABEL IN PART: (Jar) "Dixie * * * Boysenberry [or "Red Raspberry"] Jam Dixie Preserves Ltd., Los Angeles, California."

LIBELED: 10–14–59, Dist. Ariz.

CHARGE: 403(g)(1)—when shipped, the articles failed to conform to the definition and standard of identity for jams, since the articles were made from a mixture composed of less than 45 parts by weight of the specified fruit ingredient, to each 55 parts by weight of one of the sweetening ingredients specified in the definition and standard.

DISPOSITION: 11–25–59. Default—delivered to charitable institutions.