DISPOSITION: 5–22–58. Consent—claimed by Sunshine Packing Corp. The article was subsequently destroyed by the claimant.

VEGETABLES AND VEGETABLE PRODUCTS*

26164. Fresh spinach. (F.D.C. No. 41306. S. No. 79–107 M.)

QUANTITY: 182 1-bushel baskets at New York, N.Y.

SHIPPED: 12–13–57, from Crystal City, Tex., by Warren Wagner Shed.

LIBELED: 12–30–57, S. Dist. N.Y.

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

DISPOSITION: 1–14–58. Default—destruction.

26165. Frozen peas. (F.D.C. No. 43182. S. No. 21–640 P.)

QUANTITY: 3,157 cases, 24 10-oz. pkgs. each, at Omaha, Nebr.

SHIPPED: Between 7–19–56 and 7–30–56, from Lewiston, Idaho.

RESULTS OF INVESTIGATION: Examination showed that the article failed to meet U.S.D.A. requirements for U.S. Grade A (U.S. Fancy) peas due to deterioration in color, tenderness, flavor, and odor.

LIBELED: 6–5–59, Dist. Nebr.

CHARGE: 403(a)—while held for sale, the label statement "Extra Fancy" was false and misleading as applied to this article which failed to meet U.S.D.A. requirements for U.S. Grade A (U.S. Fancy) peas.

DISPOSITION: 7–13–59. Consent—claimed by Ocoma Foods, Inc., Omaha, Nebr. Segregated; 72 cases destroyed.

26166. Dried lima beans, dried black-eyed peas, dried white beans, and dried Great Northern beans. (F.D.C. No. 41279. S. Nos. 82–201/5 M.)

QUANTITY: 7 100-lb. bags of dried baby lima beans, 5 100-lb. bags of dried black-eyed peas, 5 100-lb. bags of small white beans, 3 100-lb. bags of Great Northern beans, and 3 100-lb. bags of dried large lima beans, at Sherman, Tex.

SHIPPED: Between January 1957 and October 1957, from various places outside the State of Texas.

LIBELED: 1–9–58, E. Dist. Tex.

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

DISPOSITION: 4–15–58. Default—destruction.

26167. Canned mushrooms. (F.D.C. No. 42698. S. Nos. 39–258 P, 39–260 P, 48–502 P.)

QUANTITY: 301 cases, 24 16 oz. cans each, and 123 cases, 6 4-lb. 4-oz. cans each, at San Francisco, Calif.

SHIPPED: Between 8–21–58 and 12–18–58, from Wilmington, Del., by Delaware Mushroom Cooperative Association.

LABEL IN PART: (Can) "First State Stems and Pieces Mushrooms [or "First State Buttons Mushrooms"] * * * Grown and Packed by Delaware Mushroom Cooperative Association Wilmington, Delaware."

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*See also No. 26135.