LIBELED: 2–20–59, N. Dist. Calif.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 9–28–59. Consent—claimed by Delaware Mushroom Cooperative Association. Segregated; 150 cases, 24 16-oz. cans each, and 71 cases, 6 4-lb. 4-oz. cans each, destroyed.

26168. Canned Jalapeno peppers. (F.D.C. No. 43798. S. No. 53–460 P.)

QUANTITY: 204 cases, 24 cans each, and 194 cases, 48 cans each, at Los Angeles, Calif.

SHIPPED: 7–31–59, from Laredo, Tex., by La Fortaleza, S. A. Salamanca, Gto., Mexico.

LABEL IN PART: (Can) "Fortaleza Jalapeno Peppers * * * Product Of Mexico * * * La Fortaleza S. A., Salamanca, Gto."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 11–9–59, S. Dist. Calif.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents since the label statements "15 ounces" or "7½ ounces" were inaccurate.

DISPOSITION: 11–24–59. Consent—claimed by La Fortaleza, S. A., Company of Salamanca, Gto., Mexico, and relabeled.

26169. Canned sweet red peppers. (F.D.C. No. 43923. S. No. 60–194 P.)

QUANTITY: 136 cases, 6 6-lb. 6-oz. cans each, at Baltimore, Md.

SHIPPED: Between 9–10–59 and 9–22–59, from Bridgeville, Del., by H. P. Cannon & Son, Inc.

LABEL IN PART: (Can) "Cannon Diced Red Sweet Peppers * * * H. P. Cannon & Son, Inc., Bridgeville, Del. Dunn, N.C."

LIBELED: 11–23–59, Dist. Md.

CHARGE: 402(a)(3)—contained flies, fly eggs, maggots, and insect fragments when shipped.

DISPOSITION: 12–28–59. Default—destruction.

26170. Celery. (F.D.C. No. 44137. S. Nos. 87–508/9 P, 87–812/13 P.)

QUANTITY: 218 cases, 4 doz. stalks each, and 82 cases, 3 doz. stalks each, at Forest Park, Ga.

SHIPPED: 12–11–59, from Sanford, Fla., by Chase & Co.

LABEL IN PART: (Case) "Heart Fresh Celery Chase & Co., Sanford, Florida Produce of USA."

LIBELED: 12–21–59, N. Dist. Ga.

CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, parathion, which was 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: 1–25–60. Default—destruction.