LIBELED: 7–14–60, N. Dist. Ill.

CHARGE: 402(a)(3)—contained moldy raspberries when shipped.

DISPOSITION: 8–15–60. Default—destruction.

MISCELLANEOUS FRUIT PRODUCTS*

26839. Mixed glace fruits. (F.D.C. No. 44774. S. No. 40–146 R.)

QUANTITY: 46 cases, 12 1-lb. ctns. each, at Fayetteville, Ark., in possession of McCord-Ozark Co.

SHIPPED: 10–15–58, from San Francisco, Calif.

LIBELED: 8–12–60, W. Dist. Ark.

CHARGE: 402(a)(3)—contained insects, insect excreta, rodent hairs, and moldy fruit; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 9–27–60. Default—destruction.

26840. Apple cider. (F.D.C. No. 44786. S. No. 40–069 R.)

QUANTITY: 192 cases, 6½-gal. btls. each, at Springfield, Mo.

SHIPPED: 10–9–59 and 10–24–59, from Bailey, Mich.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing decomposition.

LIBELED: 9–1–60, W. Dist. Mo.

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

DISPOSITION: 10–19–60. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS

26841. Canned cream peas. (F.D.C. No. 44739. S. Nos. 38–951 R, 39–223 R.)

QUANTITY: 122 cases, 24 cans each, at Memphis, Tenn.

SHIPPED: 5–18–60 and 6–7–60, from Spiro, Okla., by Fresh Canning Co.

LABEL IN PART: (Can) "Baby Shug Fresh Texas Cream Peas * * * Net Contents 15½ Oz. Avoir. Packed by Fresh Canning Co., Spiro, Okla."

RESULTS OF INVESTIGATION: Examination showed the article to be canned field peas and to be short weight.

LIBELED: 7–22–60, W. Dist. Tenn.

CHARGE: 403(a)—when shipped, the word "Fresh" in the legend "Fresh Texas Cream Peas," was false and misleading as applied to a processed food; 403(e)(2)—the article failed to bear an accurate statement of the quantity of contents; and 403(g)(2)—the article was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in such food.

DISPOSITION: 9–6–60. Default—delivered to a public institution for use as animal feed.

26842. Dried mung beans. (F.D.C. No. 44783. S. No. 9–721 R.)

QUANTITY: 22 100-lb. bags at Batavia, N.Y.

SHIPPED: Five or six years ago, from British East Africa.

LIBELED: 8–25–60, W. Dist. N.Y.

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*See also No. 26803.