

- 26982. Dried black-eyed peas.** (F.D.C. No. 44682. S. Nos. 1-097 R, 2-522 R.)  
QUANTITY: 701 100-lb. bags at Hialeah, Fla., in possession of Hammond Milling Co.  
SHIPPED: 4-7-60, from San Francisco, Calif.  
LABEL IN PART: (Bag) "California Blackeyes."  
LIBELED: 7-22-60, S. Dist. Fla. ✓  
CHARGE: 402(a)(3)—contained insects, insect larvae, and insect parts; and 402(a)(4)—held under insanitary conditions.  
DISPOSITION: 9-30-60. Default—destruction.
- 26983. Soybeans.** (F.D.C. No. 45297. S. No. 3-329 R.)  
QUANTITY: 100,000 lbs. at Selma, N.C.  
SHIPPED: 12-2-60, from Manning, S.C., by McLeod Milling Co.  
LIBELED: 12-19-60, E. Dist. N.C. ✓  
CHARGE: 402(a)(1)—when shipped, the article contained a poisonous or deleterious substance, *Crotalaria* seeds, in a quantity which ordinarily would render the food injurious to health.  
DISPOSITION: 12-30-60. Consent—claimed by McLeod Milling Co. Segregated; 1,290 lbs. destroyed.
- 26984. Soybeans.** (F.D.C. No. 45305. S. No. 5-879 R.)  
QUANTITY: 100,000 lbs. at Selma, N.C.  
SHIPPED: 12-8-60, from Bennettsville, S.C., by George B. Kerr, Inc.  
LIBELED: 12-22-60, E. Dist. N.C. ✓  
CHARGE: 402(a)(1)—when shipped, the article contained a poisonous or deleterious substance, *Crotalaria* seeds, in a quantity which ordinarily would render the food injurious to health.  
DISPOSITION: 1-6-61. Consent—claimed by George B. Kerr, Inc., and cleaned to remove the *Crotalaria* seeds.
- 26985. Canned peppers.** (F.D.C. No. 44766. S. No. 46-433 R.)  
QUANTITY: 134 cases, 12 1-pt. jars each, at Toledo, Ohio.  
SHIPPED: 6-29-60, from New Baltimore, Mich., by Safie Bros. Farms Pickle Co.  
LABEL IN PART: (Jar) "Vlasic Mild'n Mellow Peppers \* \* \* Vlasic Food Products Co. Imlay City, Michigan."  
LIBELED: 8-3-60, N. Dist. Ohio. ✓  
CHARGE: 402(a)(3)—contained insects and insect parts when shipped.  
DISPOSITION: 8-31-60. Default—destruction.
- 26986. Sweet gherkins (pickles).** (F.D.C. No. 44847. S. No. 7-566 R.)  
QUANTITY: 16 cases, 4 1-gal. jars each, at Portsmouth, N.H.  
SHIPPED: Between 5-6-60 and 7-1-60, from Boston, Mass., by National Pickling Works.  
LABEL IN PART: (Jar) "Old Gold Sweet Gherkins \* \* \* Distributed by Geo. D. Emerson Co. Somerville, Mass."  
LIBELED: 8-8-60, Dist. N.H. ✓

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 10-25-60. Default—destruction.

26987. Cauliflower in brine. (F.D.C. No. 44716. S. No. 7-070 R.)

QUANTITY: 4,000 lbs., contained in 19 unlabeled bbls. of a capacity of 200 lbs. each, at Roxbury, Mass.

SHIPPED: 11-24-59, from Aquebogue, Long Island, N.Y.

LIBELED: 7-14-60, Dist. Mass. —

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

DISPOSITION: 10-21-60. Default—destruction.

26988. Mushroom soup mix, fudge, candy cigarettes, and chocolate-covered peanuts. (F.D.C. No. 44342. S. Nos. 76-906/8 P, 76-910 P.)

INDICTMENT RETURNED: 8-24-60, Dist. Idaho, against Morgan Bros. & Co., a partnership, Lewiston, Idaho, and William L. Morgan, a partner.

ALLEGED VIOLATIONS: On 7-28-59, while quantities of the articles were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building infested with insects and to be exposed to contamination by insects.

CHARGE: 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-14-60. Each defendant fined \$2,000.

#### TOMATOES AND TOMATO PRODUCTS

26989. Canned tomatoes. (F.D.C. No. 44807. S. Nos. 9-732/3 R.)

QUANTITY: 43 cases, 24 #3 cans each, and 7 cases, 48 15-oz. cans each, at Albany, N.Y.

SHIPPED: 3-4-60, from Boston, Mass.

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

LIBELED: 10-6-60, N. Dist. N.Y. ✓

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

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

26990. Tomato soup, mushroom soup, cranberry sauce, and cane sugar. (F.D.C. No. 45019. S. No. 36-047 R.)

QUANTITY: 50 cases, each containing 24 retail units, of tomato soup in #1 cans, mushroom soup in #1 cans, cranberry sauce in #300 cans, and cane sugar in 1-lb. pkgs., at Brooklyn, N.Y.

SHIPPED: The articles were delivered, on 2-18-60, to a ship pier at Brooklyn, N.Y., for shipment to Peru.

RESULTS OF INVESTIGATION: Inspection showed that the articles had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the articles were stored.

LIBELED: 11-7-60, E. Dist. N.Y. ✓