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.