

**CHARGE:** 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, aminotriazole, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on cranberries has been prescribed by regulations.

**DISPOSITION:** 1-18-60. Default—destruction.

**26353. Fresh cranberries.** (F.D.C. No. 43845. S. No. 64-680 P.)

**QUANTITY:** 75 cases, 24 1-lb. pkgs. each, at Springfield, Ill.

**SHIPPED:** 10-24-59, from Eagle River, Wis., by Cranberry Products, Inc.

**LABEL IN PART:** (Pkg.) "Eagle River \* \* \* Cranberries Packed for Cranberry Products, Inc. Eagle River, Wisc."

**LIBELED:** 11-27-59, S. Dist. Ill.

**CHARGE:** 402(a)(2)—the article contained aminotriazole, an added pesticide chemical, when shipped.

**DISPOSITION:** 12-31-59. Default—destruction.

### FROZEN FRUIT

**26354. Frozen strawberries.** (F.D.C. No. 43965. S. No. 85-701 P.)

**QUANTITY:** 851 30-lb. cans at Milton, N.Y.

**SHIPPED:** 6-12-58, from Laredo, Tex.

**LIBELED:** 12-23-59, S. Dist. N.Y.

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

**DISPOSITION:** 2-10-60. Default—destruction.

### JAM

**26355. Apricot jam.** (F.D.C. No. 43591. S. No. 53-232 P.)

**QUANTITY:** 16 cases, 12 1-lb. 4-oz. jars each, at Phoenix, Ariz.

**SHIPPED:** 8-4-59, from Bell Gardens, Calif., by Dixie Preserves, Ltd.

**LABEL IN PART:** (Jar) "Dixie \* \* \* Apricot Jam Dixie Preserves Ltd., Los Angeles, California."

**LIBELED:** 10-14-59, Dist. Ariz.

**CHARGE:** 403(g)(1)—the article purported to be and was represented as apricot jam, and it fell below the definition and standard of identity prescribed by regulations since the article was made from a mixture composed of less than 45 parts by weight of the specified fruit ingredient to each 55 parts by weight of one of the sweetening ingredients specified in such definition and standard.

**DISPOSITION:** 11-25-59. Default—delivered to a charitable institution.

### VEGETABLES AND VEGETABLE PRODUCTS\*

**26356. Bibb lettuce.** (F.D.C. No. 44006. S. No. 88-417 P.)

**QUANTITY:** 213 5-lb. baskets at Cincinnati, Ohio.

**SHIPPED:** 12-17-59, from Terre Haute, Ind., by J. W. Davis Co.

**LABEL IN PART:** (Lid) "Bibb Lettuce \* \* \* J. W. Davis Co. Terre Haute, Ind."

\*See also No. 26317.

**LIBELED:** 12-22-59, S. Dist. Ohio.

**CHARGE:** 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, pentachloro nitrobenzene, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on lettuce has been prescribed by regulations.

**DISPOSITION:** 12-23-59. Consent—destruction.

**26357. Bibb lettuce.** (F.D.C. No. 44211. S. Nos. 89-944/5 P.)

**QUANTITY:** 464 5-lb. baskets at Chicago, Ill.

**SHIPPED:** 1-19-60 and 1-21-60, from Terre Haute, Ind., by J. W. Davis Co.

**LIBELED:** 1-28-60, N. Dist. Ill.

**CHARGE:** 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, pentachloro nitrobenzene, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on lettuce has been prescribed by regulations.

**DISPOSITION:** 2-25-60. Default—destruction.

**26358. Canned pumpkin.** (F.D.C. No. 43867. S. No. 52-762 P.)

**QUANTITY:** 286 cases, 24 15-oz. cans each, at La Crosse, Wis.

**SHIPPED:** 10-2-59, from Owatonna, Minn., by Owatonna Canning Co.

**LABEL IN PART:** (Can) "IGA Golden Pumpkin \* \* \* Packed for Independent Grocers' Alliance Distributing Co. Chicago."

**LIBELED:** 12-8-59, W. Dist. Wis.

**CHARGE:** 402(b)(2)—when shipped, starch had been substituted in whole or in part for pumpkin; 402(a)(3)—contained a filthy substance by reason of having been prepared from dirty pumpkins; and 403(i)(2)—the article was made from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

**DISPOSITION:** 2-5-60. Default—destruction.

**26359. Canned green peppers.** (F.D.C. No. 43925. S. No. 68-158 P.)

**QUANTITY:** 48 cases, 4 1-gal. jars each, at Philadelphia, Pa.

**SHIPPED:** 10-7-59, from Sandtown, Del., by George Nechay & Sons.

**LIBELED:** 11-24-59, E. Dist. Pa.

**CHARGE:** 402(a)(3)—contained insects and insect parts when shipped; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i)—the label of the article failed to bear (1) the common or usual name of the article and (2) a list of the ingredients of the article by their common or usual name.

**DISPOSITION:** 12-24-59. Default—destruction.

**26360. Celery.** (F.D.C. No. 44141. S. Nos. 68-317/8 P.)

**QUANTITY:** 340 crates, each containing 6 doz. stalks, at Philadelphia, Pa.

**SHIPPED:** 12-9-59 and 12-14-59, from Sanford, Fla., by Chase & Co.