FRESH FRUIT

24324. Fresh blueberries. (F. D. C. No. 40799. S. No. 76–233 M.)

QUANTITY: 3 crates, 24 1-qt. boxes each, at Boston, Mass.

SHIPPED: 8–29–57, from Harrington, Maine, by Charles Taylor & Son.

LABEL IN PART: "Pine State Fancy Maine Blueberries."

RESULTS OF INVESTIGATION: Examination showed that the article contained maggots.

LIBELED: 8–29–57, Dist. Mass.

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

DISPOSITION: 9–12–57. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

24325. Dried pink beans and black-eyed peas. (F. D. C. No. 39982. S. Nos. 15–739/40 M, 27–212 M, 28–235/6 M.)

INFORMATION FILED: 5–22–57, N. Dist. Calif., against Collins & Story, a partnership, Robbins, Calif., and George T. Story and Philip R. Collins, partners.

SHIPPED: Between 2–28–56 and 3–6–56, from California to Puerto Rico and Alabama.

LABEL IN PART: (Bag) "Recl. Pinks 100 Lbs. When Pkd. K. B. * * * San Juan," and "Blackeyes 100 Lbs. When Packed Grown by a Member of Bean Growers Ass'n of Calif. Sacramento, Calif."

CHARGE: 402 (a) (2)—the articles were raw agricultural commodities and portions thereof contained, when shipped, a pesticide chemical, namely, a fluorine compound, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on beans and black-eyed peas as a result of postharvest treatment has been prescribed by regulations; 402 (a) (3)— a portion of the beans contained rodent urine when shipped; and 402 (a) (4)—a portion of the beans had been held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 11–7–57. Each defendant fined $100.

24326. Great Northern beans, pinto beans, lima beans, and kidney beans. (F. D. C. No. 40563. S. Nos. 82–968/71 M.)

QUANTITY: 3 100-lb. bags of Great Northern beans, 3 100-lb. bags of pinto beans, 1 100-lb. bag of lima beans, and 2 100-lb. bags of red kidney beans at Cincinnati, Ohio.

SHIPPED: Between 11–5–56 and 3–18–57, from Morrill, Nebr., Sterling, Colo., Oxnard, Calif., and Oakfield, N. Y.

LIBELED: 8–13–57, S. Dist. Ohio.

CHARGE: 402 (a) (3)—the articles, other than the lima beans, contained insects and the lima beans contained insect excreta and insect-damaged beans while held for sale.

DISPOSITION: 9–25–57. Default—consumption by animals.

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*See also Nos. 24270, 24278.