

SHIPPED: 12-13-56, from Oxnard, Calif.

RESULTS OF INVESTIGATION: The article was damaged, and repacked in transit into cottonseed meal contaminated sacks.

LIBELED: On or about 1-7-57, W. Dist. Mo.

CHARGE: 402 (a) (3)—the article contained cottonseed meal contamination and water damaged beans while in interstate commerce, and while held for sale; 403 (e) (1)—the article failed to bear a label containing the name and place of business of the manufacturer or distributor; 403 (e) (2)—it failed to bear a label containing an accurate statement of the quantity of contents; and 403 (i) (1)—its label failed to bear the common or usual name of the article.

DISPOSITION: 2-25-57. Consent—claimed by Aileen Quirk & Sons, Inc., Oxnard, Calif. Segregated and cleaned; 800 lbs. destroyed.

23970. Frozen corn on the cob and frozen strawberries. (F. D. C. No. 39883. S. Nos. 62-100 M, 63-021/3 M.)

QUANTITY: 43 ctns., each containing 18 pkgs. and 102 ctns., each containing 24 pkgs. of 2 ears of corn each, 141 ctns., each containing 4 doz. ears of corn, 43 cases, each containing 5 doz. ears of corn and 45 30-lb. cans of sliced strawberries at Brooklyn, N. Y.

SHIPPED: Between 9-13-55 and 6-2-56, from Ripon, Wis., Ontario, Oreg., and Knoxville, Tenn.

LIBELED: 3-5-57, E. Dist. N. Y.

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

DISPOSITION: 4-19-57. Default—destruction.

23971. Canned peas. (F. D. C. No. 40098. S. No. 69-344 M.)

QUANTITY: 61 cases, 48 8½-oz. cans each, at Philadelphia, Pa.

SHIPPED: 12-22-55, from Auburn, N. Y., by H. C. Hemingway & Co.

LABEL IN PART: (Can) "Schuyler *** Sweet Wrinkled Peas."

LIBELED: 3-15-57, E. Dist. Pa.

CHARGE: 403 (h) (1)—when shipped, the quality of the article fell below the standard of quality for canned peas, since the article was a sweet wrinkled variety of peas and the alcohol-soluble solids of peas in the container were more than 21 per cent, the maximum permitted by the regulations, and the label of the article failed to bear, in the manner and form specified by regulations, a statement that the article fell below such standard.

DISPOSITION: 4-15-57. Default—destruction.

23972. Dried pea beans, dried Great Northern beans, dried lima beans, salt, plain flour, cake flour, and Donut mix (4 seizure actions). (F. D. C. No. 37642. S. Nos. 13-441/8 M.)

QUANTITY: 15 25-lb. bags of dried pea beans; 29 100-lb. bags of dried Great Northern beans; 4 100-lb. bags of dried lima beans; 129 25-lb. bags of salt; 56 100-lb. bags of plain flour; 24 100-lb. bags of cake flour; and 7 100-lb. bags of Donut mix, at Williamsport, Pa., in possession of Williamsport Wholesale Grocery Co., Inc.

SHIPPED: Between 8-17-54 and 11-23-54, from Oxnard, Calif., Kansas City, Mo., Buffalo and Watkins Glen, N. Y.

LIBELED: 2-3-55, M. Dist. Pa.

CHARGE: 402 (a) (3)—all lots contained rodent urine while held for sale, and the cake flour contained rodent excreta, also; and 402 (a) (4)—all lots held under insanitary conditions.

DISPOSITION: 4-28-55. Claimed by Williamsport Wholesale Grocery Co., Inc., and denatured for use as animal feed.

23973. Roasted peppers. (F. D. C. No. 39867. S. No. 62-752 M.)

QUANTITY: 77 cases, 21 jars each, at Clifton, N. J.

SHIPPED: 11-6-56, from Watertown, Mass., by Naples Food Products.

LABEL IN PART: "Net Weight 15 Oz. Baldanza's Best Selected Roasted Peppers Red and Green."

LIBELED: 2-11-57, Dist. N. J.

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

DISPOSITION: 3-26-57. Default—destruction.

23974. Whole red peppers. (F. D. C. No. 40078. S. No. 38-206 M.)

QUANTITY: 152 bags, at St. Louis, Mo., in possession of Warehousing Corporation of Missouri, Inc.

SHIPPED: 11-8-56, from Florence, S. C.

LIBELED: 4-3-57, E. Dist. Mo.

CHARGE: 402 (a) (4)—held under insanitary conditions in rodent-stained bags.

DISPOSITION: 4-12-57. Consent—claimed by Warehousing Corporation of Missouri, Inc. The urine stained areas of the bags were cut away and the peppers immediately under the urine stains were removed and discarded. The discarded peppers weighing 6 lbs. were destroyed.

23975. Eggplant appetizer. (F. D. C. No. 39945. S. Nos. 59-025/6 M.)

QUANTITY: 13½ cases, each full case containing 48 cans at Hazleton, Pa.

SHIPPED: 4-3-56 and 11-30-56, from Vineland, N. J., by Uddo & Taormina Co.

LABEL IN PART: (Can) "Progresso Brand Egg Plant Appetizer Net Contents 4¾ ozs. Avoir. * * * Fancy Caponata."

LIBELED: 2-12-57, M. Dist. Pa.

CHARGE: 402 (a) (3)—contained fly eggs and maggots when shipped.

DISPOSITION: 3-20-57. Default—destruction.

23976. Eggplant appetizer. (F. D. C. No. 40104. S. Nos. 61-036/7 M.)

QUANTITY: 121 cases, 48 4¾-oz. cans each, at Boston, Mass.

SHIPPED: Between 10-19-56 and 2-27-57, from Vineland, N. J., by Uddo & Taormina Co.

LABEL IN PART: (Can) "Progresso Brand Egg Plant Appetizer * * * Fancy Caponata."

LIBELED: 3-21-57, Dist. Mass.

CHARGE: 402 (a) (3)—contained fly eggs and maggots when shipped.

DISPOSITION: 5-17-57. Default—destruction.

TOMATOES AND TOMATO PRODUCTS

23977. Canned tomatoes, ripe olives in brine, apple juice, canned beets, and canned herring. (F. D. C. No. 39454. S. Nos. 32-103 M, 32-105/8 M.)

QUANTITY: 36 cases, 48 10-oz. cans each, of canned tomatoes, 22 cases, 48 1-lb.