CHARGE: 402(a)(2)—when shipped, the article contained an added poisonous and deleterious substance, DDT, which is unsafe within the meaning of 406 since the quantity of DDT contained on the article was greater than the tolerance prescribed by regulations for such pesticide chemical on fresh spinach.

DISPOSITION: 4-13-59. Default—destruction.

25715. Stuffed olives. (F.D.C. No. 42860. S. Nos. 21-750/1 P.)

QUANTITY: 148 cases, 12 jars each, at Kansas City, Mo.

SHIPPED: 12-18-58, from Chicago, Ill., by B. M. Reeves Co., Inc.

LABEL IN PART: (Jar) "Elna Brands Inc. Distributors, Chicago, Illinois * * * Dr. Wt. 16 [or "10"] Ozs. Avd. * * * Elna Spanish Olives Stuffed with Sweet Spanish Peppers."

RESULTS OF INVESTIGATION: Examination showed that most of the olives were not stuffed.

LIBELED: On or about 3-10-59, W. Dist. Mo.

CHARGE: 403(a)—when shipped, the label statement "Spanish Olives Stuffed with Sweet Spanish Peppers" was false and misleading.

DISPOSITION: 5-1-59. Consent—claimed by B. M. Reeves Illinois Corp., Chicago, Ill., and relabeled.

TOMATOES AND TOMATO PRODUCTS

25716. Canned tomatoes. (F.D.C. No. 42333. S. No. 11-728 P.)

QUANTITY: 1,800 cases, 24 cans each, at Detroit, Mich.

SHIPPED: 9-13-58, from Parksley, Va., by Coastal Foods Co.

LABEL IN PART: (Can) "Phillips Tomatoes * * * Contents 1 Lb. * * * Packed By Coastal Foods Co. * * * Cambridge, Md."

LIBELED: 10-21-58, E. Dist. Mich.

CHARGE: 402(a)(3)—contained fly eggs and maggots; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 7-16-59. Default—destruction.

25717. Canned tomatoes. (F.D.C. No. 42804. S. No. 47-459 P.)

QUANTITY: 479 cases, 24 1-lb. 3-oz. cans each, at Boston, Mass.

SHIPPED: 11-19-59, from Le Roy, N.Y., by Haxton Foods, Inc.

LABEL IN PART: (Can) "S. S. Pierce Co. Red Label Brand * * * Vine-Ripened - Hand Packed Tomatoes * * * Packed For S. S. Pierce Co. * * * Boston, Mass."

LIBELED: 1-23-59, Dist. Mass.

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

DISPOSITION: 9-14-59. Default—destruction.

25718. Tomato cocktail. (F.D.C. No. 43120. S. Nos. 47-839 P, 47-848 P.)

QUANTITY: 293 cases, 12 btls. each, at East Hartford, Conn.

SHIPPED: 3-4-59 and 3-31-59, from Lockport, N.Y., by College Inn Food Products Corp.

LABEL IN PART: (Btl.) "College Inn Tomato Cocktail * * * Contents 1 Pt. 10 Fl. Oz. Made by College Inn Lockport Co., Inc., Lockport, N.Y."

LIBELED: 4-22-59, Dist. Conn.