

MISCELLANEOUS FRUIT PRODUCTS

28961. Cherries in sirup. (F.D.C. No. 47693. S. Nos. 7-964/7 T.)

QUANTITY: 4 500-gal. tanks and 7 50-gal. bbls. of black Normandy cherries, 1 200-gal. tank of green glazed cherries, and 1 200-gal. tank of red maraschino cherries, at New London, Conn., in possession of deRedon Food Products Corp.

SHIPPED: On unknown dates, from outside the State of Connecticut.

RESULTS OF INVESTIGATION: The articles had been shipped in brine and had been placed in sirup by the dealer.

LIBELED: 7-25-62, Dist. Conn.

CHARGE: 402(a)(3)—contained insect parts, *Drosophila* flies, *Drosophila* fly eggs, and maggots; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 11-15-62. Consent—claimed by deRedon Food Products Corp. After an unsuccessful attempt to recondition, the articles were destroyed.

28962. Grape puree. (F.D.C. No. 48473. S. No. 33-361 V.)

QUANTITY: 113 5-gal. cans, at Minneapolis, Minn.

SHIPPED: 10-23-62, from Council Bluffs, Iowa, by Council Bluffs Grape Growers Association.

LIBELED: 12-14-62, Dist. Minn.

CHARGE: 402(a)(3)—contained *Drosophila* fly fragments, other insects, and insect parts when shipped.

DISPOSITION: 1-28-63. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

28963. Cabbage. (F.D.C. No. 48696. S. No. 17-774 V.)

QUANTITY: 300 50-lb. bags, at Cincinnati, Ohio.

SHIPPED: 1-19-63, from San Benito, Tex., by Alexander Marketing Co.

LABEL IN PART: (Bag) "Alexander's New * * * Texas Cabbage Packed & Shipped by Alexander Marketing Company, San Benito, Texas Product of USA."

LIBELED: 2-5-63, S. Dist. Ohio.

CHARGE: 402(a)(2)(B)—when shipped, the article contained a pesticide chemical, namely, toxaphene, which was unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 2-25-63. Default—destruction.

28964. Carrots. (F.D.C. No. 48495. S. Nos. 52-574/5 V.)

QUANTITY: 137 50-lb. crates, at Seattle, Wash.

SHIPPED: Between 12-4-62 and 12-9-62, from Portland, Oreg., by S. T. Produce.

LIBELED: 12-27-62, W. Dist. Wash.

CHARGE: 402(a)(2)(B)—when shipped, the article contained pesticide chemicals, namely, aldrin and dieldrin, which were unsafe within the meaning of

*See also Nos. 28907, 28908.

408(a) since the quantity of such pesticide chemicals on carrots was not within the limits of the tolerances prescribed by regulations.

DISPOSITION: 1-11-63. Consent—destruction.

28965. Romaine lettuce. (F.D.C. No. 46003. S. No. 25-670 R.)

INFORMATION FILED: 8-17-61, and amended 3-5-63, Dist. Ariz., against John W. Vukasovich, t/a J. (Bud) Vukasovich, Yuma, Ariz.

SHIPPED: 12-5-60, from Yuma, Ariz., to Los Angeles, Calif.

LABEL IN PART: "PRODUCE OF U.S.A. Plenti-Grand SELECTED CALIFORNIA AND ARIZONA VEGETABLES IN SEASON GROWN, PACKED AND SHIPPED BY J. (BUD) VUKASOVICH CO. MAIN OFFICE WATSONVILLE, CALIF."

CHARGE: 402(a)(2)(B)—when shipped, the lettuce contained a pesticide chemical, namely, DDT, which was unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

PLEA: Nolo contendere.

DISPOSITION: 3-25-63. \$500 fine.

28966. Canned green beans. (F.D.C. No. 43206. S. Nos. 25-983 P, 25-987 P, 26-396 P.)

INFORMATION FILED: 8-3-59, amended information 4-21-60, W. Dist. Wis., against Sampson Canning Co., a corporation, Wisconsin Rapids, Wis.

SHIPPED: Between 8-16-57 and 8-14-58, from Wisconsin to Minnesota and Iowa.

LABEL IN PART: (Can) "Contents 15½ oz. Avoir. Sampson's Cut Green Beans Packed by Sampson Canning Co. Wisconsin Rapids, Wis." and "Contents 15½ oz. Avoir. Mayflower Cut Green Beans Distributed by Consolidated Food Processors Inc. Marshall Canning Division, Hampton, Iowa; Sugar Land, Texas."

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned green beans, since the deseeded pods of the article contained more than 0.15 percent by weight of fibrous material, and its label failed to bear a statement that it fell below such standards.

PLEA: Guilty.

DISPOSITION: 4-21-60. \$300 fine.

28967. Dried pinto beans. (F.D.C. No. 48740. S. No. 22-959 V.)

QUANTITY: 150 100-lb. bags, at El Paso, Tex.

SHIPPED: 3-9-63, from Dove Creek, Colo., by Romer Mercantile & Grain Co.

LABEL IN PART: (Bag) "Blue Mountain Recleaned Pinto Beans Packed by Romer Merc. & Grain Co. Dove Creek, Colo."

LIBELED: 4-5-63, W. Dist. Tex.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 6-11-63. Default—delivered to a Government institution for use as animal feed.

28968. Dried pinto beans. (F.D.C. No. 48862. S. No. 22-673 V.)

QUANTITY: 576 100-lb. bags, at Mountainair, N. Mex.