

SHIPPED: 2-22-65, from Caldwell, Idaho, by J. R. Simplot Co.
LABEL IN PART: (Case) "Simplot Brand Idaho shredded hash brown potatoes packed in Idaho by J. R. Simplot Co., Caldwell Idaho."
LIBELED: 5-11-65, N. Dist. Calif.
CHARGE: 402(a)(3)—contained excessive coliforms, excessive total bacteria, and excessive *E. coli* when shipped.
DISPOSITION: 10-19-65. Default—destruction.

30479. Canned field peas with snaps. (F.D.C. No. 51677. S. No. 32-772 B.)
QUANTITY: 68 cases, each containing 24 1-lb. cans, at Camden, S.C.
SHIPPED: 7-26-65, from Midville, Ga., by R. O. Kelley Cannery, Inc.
LABEL IN PART: (Can) "Kelley's Best Georgia Field Peas With Snaps * * * Packed in U.S.A. By R. O. Kelley Cannery, Inc. Midville, Ga."
LIBELED: 10-7-65, E. Dist. S.C.
CHARGE: 402(a)(3)—contained insect larvae when shipped.
DISPOSITION: 11-29-65. Default—destruction.

30480. Fresh carrots. (F.D.C. No. 51711. S. No. 102-744 B.)
QUANTITY: 36 sacks, of 48 1-lb. bags each, at Cincinnati, Ohio.
SHIPPED: 10-21-65, from Oxnard, Calif., by Ventura Valley Packing Co.
LABEL IN PART: (Sack) "California Carrots Topped Wm. H. Gumpertz Co. Oxnard, Calif." (bag) "Ventura Gold * * * California Carrots Ventura Valley Packing Co. Oxnard, California."
LIBELED: 11-4-65, S. Dist. Ohio; libel amended 11-9-65.
CHARGE: 402(a)(2)(B)—when shipped, the article contained the pesticide chemical, endrin, which was unsafe within the meaning of 408(a), since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on carrots had been prescribed by regulations.
DISPOSITION: 11-23-65. Default—destruction.

30481. Boston lettuce. (F.D.C. No. 51736. S. No. 94-221 B.)
QUANTITY: 98 crates, of 24 heads each, at Cleveland, Ohio.
SHIPPED: 11-9-65, from Glendale, Ariz., by J. A. Wood Co.
LABEL IN PART: (Crate) "Copper Head Vegetables Produce of USA J. A. Wood Co. Phoenix, Arizona."
LIBELED: 12-1-65, N. Dist. Ohio.
CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and it contained toxaphene, a pesticide chemical, 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: 12-22-65. Default—destruction.

TOMATOES AND TOMATO PRODUCTS

30482. Canned tomatoes. (F.D.C. No. 51422. S. No. 49-923 B.)
QUANTITY: 747 cases, of 24 1-lb. cans each, at Corning, N.Y.
SHIPPED: 4-19-65, from Pocomoke City, Md., by Albert W. Sisk & Son.
LABEL IN PART: (Can) "Pine Cone Brand * * * Peeled Tomatoes * * * Albert W. Sisk and Son Distributors * * * Preston, Md."

LIBELED: 5-27-65, W. Dist. N.Y.

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

DISPOSITION: 7-20-65. Default—destruction.

30483. Canned tomatoes. (F.D.C. No. 51700. S. No. 50-733 B.)

QUANTITY: 506 cases of 24 1-lb. cans each, at Buffalo, N.Y.

SHIPPED: 8-24-65, from Preston, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Iona Standard Quality Tomatoes * * * The Great Atlantic & Pacific Tea Co. Inc. N.Y., N.Y., Distributor."

LIBELED: 10-12-65, W. Dist. N.Y.

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned tomatoes, since the article contained tomato peel, per pound of canned tomatoes in the container, which covered an area of more than one square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 11-24-65. Consent—claimed by McWilliams Cannery, Inc., Hurlock, Md., for relabeling.

30484. Canned tomatoes. (F.D.C. No. 48436. S. No. 19-064 V.)

QUANTITY: 198 cases, each containing 24 1-lb. cans, at Dallas, Tex.

SHIPPED: 10-16-62, from Buena Park, Calif., by Uddo & Taormina Corp. of California.

LABEL IN PART: (Can) "Progresso Italian Style Peeled Tomatoes With Basil * * * Packed by Uddo & Taormina Corp. of California Buena Park, California."

LIBELED: On or about 1-24-63, N. Dist. Tex.

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned tomatoes, since the article contained tomato peel, per pound of canned tomatoes in the container, which covered an area of more than one square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: On 2-8-63, Uddo & Taormina Corp. of California having claimed the article, a consent decree of condemnation providing for relabeling was entered. On 6-11-65, the claimant having failed to bring the article into compliance, the court entered an order directing the distribution of the article to charitable institutions for consumption and not resale.

30485. Canned tomatoes. (F.D.C. No. 51661. S. No. 96-067 B.)

QUANTITY: 63 cases, 48 10-oz. cans each, at Omaha, Nebr.

SHIPPED: 7-12-65, from Prairie Grove, Ark., by Kelley Canning Co.

LABEL IN PART: (Can) "Elna Brands Inc. Distributors, Skokie, Ill. Elna Tomatoes."

RESULTS OF INVESTIGATION: Examination showed that the article was in part undergoing progressive decomposition and that the cans were punctured when embossed with the can code at the time of canning.

LIBELED: 9-14-65, Dist. Nebr.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale; and 403(g)(1)—when shipped, the article failed to conform to the definition