

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

DISPOSITION: 5-26-61. Default—destruction.

27375. Frozen strawberries. (F.D.C. No. 43397. S. No. 64-548 P.)

QUANTITY: 500 30-lb. cans at Peoria, Ill.

SHIPPED: 5-26-59, from Searcy, Ark., by Whiteco, Inc.

LABEL IN PART: "Whiteco, Bald Knob Ark Frozen Strawberries Whole."

LIBELED: 7-17-59, S. Dist. Ill.

CHARGE: 402(a) (3)—contained rotten berries when shipped.

DISPOSITION: 8-6-59. Consent—claimed by Whiteco, Inc., and destroyed.

VEGETABLES AND VEGETABLE PRODUCTS

27376. Canned peas. (F.D.C. No. 45526. S. No. 65-942 R.)

QUANTITY: 201 cases, 24 15-oz. cans each, at Memphis, Tenn.

SHIPPED: 1-19-61 and 2-1-61, from Alma, Ark., by Alma Canning Co.

LABEL IN PART: (Can) "Alma Dried Early June Peas Prepared From Dry Stock * * * Alma Canning Co. Packers and Distributors, Alma, Ark."

LIBELED: 3-23-61, W. Dist. Tenn.

CHARGE: 403(a)—when shipped, the label vignette depicting succulent green peas and the label statement "Garden Run," were false and misleading as applied to an article which was prepared from dried peas; and 403(h) (1)—the quality of the article fell below the standard for canned peas, since it contained more than 25 percent by count of peas ruptured to a width of more than $\frac{1}{16}$ inch, and the article was a smooth skin variety of peas and the alcohol insoluble solids of peas in the containers were more than 23.5 percent and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 6-19-61. Default—delivered to charitable institutions.

27377. Chickpeas. (F.D.C. No. 44772. S. No. 37-289 R.)

QUANTITY: 8 100-lb. bags at Scranton, Pa.

SHIPPED: 10-27-59, from New York, N.Y.

LIBELED: 8-9-60, M. Dist. Pa.

CHARGE: 402(a) (3)—contained insects, insect excreta, and insect webbing while held for sale.

DISPOSITION: 9-15-60. Default—destruction.

27378. Green olives. (F.D.C. No. 45651. S. Nos. 17-689 R, 49-410/11 R.)

QUANTITY: 36 casks, each containing 440 kilos, and 33 casks, each containing 451 kilos, at Denver, Colo.

SHIPPED: Prior to 3-30-61, from Seville, Spain.

LABEL IN PART: (Cask) "Jose Porres Exp 18113 Olives Produced in Spain Tomares Seville 27 SHC 240-260 Denver" and "SHC Denver Rapazallas 240-260 451 K Net Jose Ma. Troncoso Exp. 5750 Aceitunas Sevillanas Produced in Spain Dos Hermanas Sevilla."

LIBELED: 5-5-61, Dist. Colo.; amended 6-5-61.

CHARGE: 402(a) (3)—contained worm-damaged olives and maggots when shipped.

DISPOSITION: 6-5-61. Consent—claimed by Superior Honey Co., Denver, Colo., and exported to original suppliers in Spain.

27379. Pumpkin pie filling. (F.D.C. No. 45590. S. No. 17-099 R.)

QUANTITY: 406 cases, 24 1-lb. 2-oz. cans each, at Indianapolis, Ind.

SHIPPED: Between 10-11-60 and 11-8-60, from Hoopeston, Ill., by Stokely-Van Camp, Inc.

LABEL IN PART: (Can) "Stokely's Finest Ready to Bake Pumpkin Pie Filling * * * Distributed by Stokely-Van Camp Inc., Indianapolis, Indiana."

LIBELED: On or about 4-10-61, S. Dist. Ind.

CHARGE: 403(a)—when shipped, the label statements "Pumpkin Pie Filling" and "Ready to Bake" were false and misleading as applied to this product since the article was not a complete filling and was not ready to bake since milk and eggs must be added.

DISPOSITION: 4-21-61. Consent—claimed by Stokely-Van Camp, Inc., and relabeled.

TOMATOES AND TOMATO PRODUCTS

27380. Canned tomatoes. (F.D.C. No. 44237. S. No. 90-823 P.)

QUANTITY: 947 cases, 24 1-lb. cans each, at Manchester, N.H.

SHIPPED: 10-24-59, from Greenwood, Del., by Bramble Canning Corp.

LABEL IN PART: (Can) "Elmdale Tomatoes * * * National Retailer-Owned Grocers, Inc. Distributors * * * Chicago, Ill."

LIBELED: 2-12-60, Dist. N.H.

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

DISPOSITION: 5-27-60. Consent—claimed by Bramble Canning Corp. Segregated; 603 cases destroyed.

27381. Canned tomatoes. (F.D.C. No. 45755. S. No. 56-730 R.)

QUANTITY: 601 cases, 24 1-lb. 12-oz. cans each, at Linden, N.J.

SHIPPED: 2-23-61 and 3-13-61, from Princess Anne, Md., by Kings Creek Canning Co.

LABEL IN PART: (Can) "Fyne-Taste Selected Tomatoes * * * Distributed By Tulip, Inc., Phila. 34, Pa."

LIBELED: 5-2-61, Dist. N.J.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes since the drained weight of the contents of the container of the article was less than 50 percent of the weight of the water required to fill the container, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 6-19-61. Default—delivered to charitable institutions.

27382. Canned tomatoes. (F.D.C. No. 45820. S. No. 10-539 R.)

QUANTITY: 298 cases, 24 1-lb. cans each, at Buffalo, N.Y.

SHIPPED: 3-17-61, from Preston, Md., by A. W. Sisk & Son.

LABEL IN PART: (Can) "Red-Glo Peeled Tomatoes * * * Albert W. Sisk and Son Distributors."

LIBELED: 6-2-61, W. Dist. N.Y.