

placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 8-30-62. Consent—claimed by Dawn Fresh Co. and relabeled.

28668. Canned okra, tomatoes, and corn. (F.D.C. No. 48035. S. No. 60-345 T.)

QUANTITY: 38 cases, 24 cans each, at Tupelo, Miss.

SHIPPED: 7-5-62, from Cullman, Ala., by King-Pharr Canning Operations, Inc.

LABEL IN PART: (Can) "Blue Plate Okra, Tomatoes, and Corn * * * Net Weight 15½ oz. avoirdupois."

LIBELED: 9-20-62, N. Dist. Miss.

CHARGE: 402(a)(3)—when shipped, contained moldy and decomposed material.

DISPOSITION: 11-19-62. Default—destruction.

28669. Canned spinach. (F.D.C. No. 48252. S. No. 81-771 T.)

QUANTITY: 198 cases, each containing 6 cans, at Trenton, N.J.

SHIPPED: Between 5-1-62 and 5-31-62, from Van Buren, Ark.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing progressive decomposition.

LIBELED: 11-2-62, Dist. N.J.

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

DISPOSITION: 12-20-62. Default—destruction.

28670. Canned sweetpotatoes. (F.D.C. No. 47699. S. No. 38-767 T.)

QUANTITY: 28 cases, each containing 24 1-lb. 13-oz. cans, at Meridian, Miss.

SHIPPED: 5-22-62, from New Iberia, La., by Bruce's Foods Co.

LABEL IN PART: (Can) "Soileau Brand Louisiana Yams Sweet Potatoes Whole and Cut in Syrup Packed by Soileau Foods, Inc., New Iberia, La."

RESULTS OF INVESTIGATION: Examination showed that the article consisted only of cut pieces of sweetpotato.

LIBELED: 7-3-62, S. Dist. Miss.

CHARGE: 403(a)—when shipped, the name of the article "Louisiana Yams Sweet Potatoes Whole and Cut" and the label vignette depicting 2 whole sweetpotatoes with 4 large pieces was false and misleading as applied to a product containing no whole potatoes, and consisting only of cut pieces.

DISPOSITION: 8-24-62. Default—delivered to charitable institutions.

28671. Potatoes. (F.D.C. Nos. 48041, 48042. S. Nos. 85-343 T, 85-687 T.)

QUANTITY: 850 100-lb. bags, at Oakland, Calif.

SHIPPED: 9-7-62, from Notus and Caldwell, Idaho, by J. C. Palumbo Produce Co., Inc., and J. R. Simplot Co.

LABEL IN PART: (Bag) "Idaho Pointer Brand Potatoes Packed in Idaho by Simplot Eastern Idaho Produce Inc., Blackfoot, Idaho" and "Desert Rose Brand Idaho Potatoes Grown and Packed by J. C. Palumbo Produce Co., Caldwell, Idaho."

LIBELED: 9-24-62, N. Dist. Calif.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained pesticide chemicals, namely, aldrin and dieldrin,