

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.

**SHIPPED:** Between 3-12-63 and 3-29-63, from Fruita, Colo., by Osborn Bean & Elevator Co.

**LABEL IN PART:** (Bag) "Recleaned Pinto Beans Packed by Osborn Bean & Elevator Co. Fruita, Colorado."

**LIBELED:** 4-26-63, Dist. N. Mex.

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

**DISPOSITION:** 6-13-63. Consent—claimed by Max Osborn, t/a Osborn Bean & Elevator Co. Reconditioned and segregated; 350 lbs. converted into animal feed.

28969. Sauerkraut, dill pickles, and sweet gherkins. (F.D.C. No. 47318. S. Nos. 65-507 P, 23-301 T, 30-111 T, 30-115 T, 51-543 T, 51-545 T.)

**INDICTMENT RETURNED:** 3-7-63, Dist. Utah, against Storey Food Products Co., Inc., Ogden, Utah, and Frank D. Storey, vice president and plant manager.

**SHIPPED:** Between 8-18-59 and 9-1-61, from Ogden, Utah, to Pocatello and Boise, Idaho; Riverside, Calif.; and Denver, Colo.

**LABEL IN PART:** (Cans) "STOREY'S BIG S NET WEIGHT 6 LBS. 12 OZS. CROSS CUT DILL PICKLES STOREY FOOD PRODUCTS CO., OGDEN, UTAH," "DEL HAVEN BRAND SAUERKRAUT NET WEIGHT 6 LB. 3 OZ. PACKED FOR FEDERATED FOODS, INC. SAN FRANCISCO, CALIF. CHICAGO, ILL.," "STOREY'S BIG S CONTENTS 105 OZS. SWEET MIDGET GHERKINS STOREY FOOD PRODUCTS CO., OGDEN, UTAH," and "BIG S NORTHERN LONG SHRED SAUERKRAUT CONTENTS 1 LB. [or "6 LB. 3 OZ."] STOREY FOOD PRODUCTS COMPANY GROWER-PACKERS DISTRIBUTORS OGDEN, UTAH."

**CHARGE:** 402(a) (3)—contained insects, insect fragments, maggots, aphids, thrips, mites, feather barbules, animal hairs, and maggot mouth hooks; and 402(a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 5-21-63. Corporation—\$3,750 fine, of which \$3,000 was suspended; individual—\$2,500 fine, of which \$2,000 was suspended, and probation for 2 years.

28970. Dehydrated potatoes. (F.D.C. No. 48698. S. Nos. 22-499/500 V.)

**QUANTITY:** 317 50-lb. bags, at Kaysville, Utah.

**SHIPPED:** Prior to 10-30-62, from Breda, Holland.

**LIBELED:** 2-11-63, Dist. Utah.

**CHARGE:** 402(a) (3)—contained rodent hairs and insect fragments while held for sale.

**DISPOSITION:** 8-20-63. Consent—claimed by Nibb-It Corp. of America for export to the original shipper.

28971. Onion flakes. (F.D.C. No. 47969. S. No. 74-428 T.)

**QUANTITY:** 195 18-lb. cases, at New York, N.Y.

**SHIPPED:** 5-24-61, from Israel.

**LIBELED:** 8-20-62, S. Dist. N.Y.

**CHARGE:** 402(a) (3)—contained insects and insect larvae, pupae, and fragments while held for sale.