

RESULTS OF INVESTIGATION: Inspection of the shipper's warehouse showed that the article was stored under insanitary conditions.

LIBELED: 6-9-64, Dist. Colo.

CHARGE: 402(a)(3)—when shipped, contained rodent urine; and 402(a)(4)—held under insanitary conditions prior to shipment.

DISPOSITION: 8-26-64. Consent—claimed by Sun Basin Growers, Inc., of Moses Lake, Wash.; 152 bags destroyed as unfit and the remainder reconditioned.

29962. Dried beans. (F.D.C. No. 50386. S. Nos. 96-594/7 A, 98-426/7 A.)

QUANTITY: 282 100-lb. bags of select pinto beans; 72 100-lb. bags of Great Northern beans; 432 100-lb. bags of pinto beans; 320 100-lb. bags of red beans; 300 100-lb. bags of Great Northern beans; and 1,618 100-lb. bags of red beans, at Stockton, Calif., in possession of Valley Bean Warehouse, Inc.

SHIPPED: Between 3-15-63 and 5-27-64, from Denver, Colo.; Twin Falls, Idaho; Seattle, Wash., and Moses Lake, Wash.

LIBELED: 7-14-64, N. Dist. Calif.

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

DISPOSITION: 8-19-64. Consent—claimed by Klein Bros., Inc., of Stockton, Calif. Washed and segregated; 32 bags destroyed.

TOMATOES AND TOMATO PRODUCTS

29963. Canned tomatoes. (F.D.C. No. 49454. S. No. 26-993 X.)

QUANTITY: 658 cases, each containing 24 cans, at Detroit, Mich.

SHIPPED: 9-6-63 and 9-18-63, from Princess Anne, Md., by Kings Creek Canning Co.

LABEL IN PART: (Can) "Elna Brands Inc. Distributors, Skokie, Ill. Elna Tomatoes—Net Wt. 1 Lb."

LIBELED: 11-20-63, E. Dist. Mich.

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

DISPOSITION: 2-10-64. Default—destruction.

29964. Canned tomatoes. (F.D.C. No. 49796. S. No. 19-321 A.)

QUANTITY: 720 cases, each containing 24 1-lb. cans, at Olean, N.Y.

SHIPPED: 1-10-64, from Vienna, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Elmdale Tomatoes * * * Distributed by Eastern Retailer-Owned Grocers Cooperative, Inc. New York, N.Y."

LIBELED: 2-11-64, W. Dist. N.Y.

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

DISPOSITION: 3-27-64. Default—destruction.

29965. Canned tomatoes. (F.D.C. No. 50306. S. Nos. 32-012 A, 32-022 A.)

QUANTITY: 86 cases of 24 cans each, at Cincinnati, Ohio.

SHIPPED: Between 3-20-64 and 4-23-64, from Indianapolis, Ind., by Stokely-Van Camp, Inc.

RESULTS OF INVESTIGATION: Examination showed that the article was short weight and failed to meet the standard of fill of container for canned tomatoes.

The average net weight was found to be 25.50 ozs., the average shortage being 2.50 ozs., or 9 percent. The average fill of container was found to be 84.8 percent.

LABEL IN PART: (Can) "Stokely Van Camp's Finest Tomatoes * * * Net Weight 1 Lb. 12 Oz. * * * Distributed by Stokely-Van Camp, Inc., Indianapolis, Indiana."

LIBELED: 6-19-64, S. Dist. Ohio.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents, since the label statement "Net Weight 1 Lb. 12 oz." was inaccurate; and 403(h) (2)—the article fell below the standard of fill for canned tomatoes, since the article contained less than 90 percent of the total capacity of the container, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 8-19-64. Default—delivered to a charitable institution.

29966. Canned tomatoes. (F.D.C. No. 50262, S. Nos. 37-154/5 A.)

QUANTITY: 866 cases, each containing 24 1-lb. cans, and 253 cases, each containing 48 10-oz. cans, at Shreveport, La.

SHIPPED: 6-3-64, from Elsa, Tex., by Elsa Canning Co.

LABEL IN PART: (Can) "Ro-Tel Brand Tomatoes Packed by Elsa Canning Co. Elsa, Texas."

LIBELED: 7-28-64, W. Dist. La.

CHARGE: 402(a) (3)—contained decomposed tomatoes when shipped.

DISPOSITION: 9-9-64. Default—destruction.

29967. Canned tomatoes. (F.D.C. No. 49838, S. No. 73-628 A.)

QUANTITY: 285 cases, each containing 24 cans, at New Orleans, La.

SHIPPED: 1-6-64, from Alamo, Tex., by Alamo Products Co.

LABEL IN PART: (Can) "Orchard Garden Tomatoes Packed by Alamo Products Co., Alamo, Texas."

RESULTS OF INVESTIGATION: Examination showed the article to be approximately 2.67 percent short weight.

LIBELED: 3-13-64, E. Dist. La.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of quantity of contents, since the label statement "net wt. 15 oz." was inaccurate.

DISPOSITION: 9-21-64. Consent—claimed by Alamo Products Co., for relabeling.

29968. Canned tomatoes. (F.D.C. No. 50500, S. Nos. 18-157 A, 19-465 A.)

QUANTITY: 192 cases, of 24 1-lb. cans each, at Utica, N.Y.

SHIPPED: 2-25-64, from King's Creek, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Pine Cone Brand * * * Peeled Tomatoes * * * Albert W. Sisk And Son Distributors * * * Preston, Md."

LIBELED: 8-12-64, N. Dist. N.Y.

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

DISPOSITION: 10-2-64. Default—destruction.