CHARGE: 402(a)(3)—contained insects, insect parts, rodent hairs, and rodent excreta pellets while held for sale.

DISPOSITION: 9–29–60. Default—destruction.

26843. Dried black-eyed peas. (F.D.C. No. 44843. S. No. 45–367 R.)

QUANTITY: 550 cases, 24 1-lb. bags each, at La Grange, Ga.

SHIPPED: 5–26–60, from Mobile, Ala.

LIBELED: 8–5–60, N. Dist. Ga.

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

DISPOSITION: 10–28–60. Default—destruction.

26844. Cucumbers in brine. (F.D.C. No. 44723. S. No. 6–916 R.)

QUANTITY: 12,500 gals. at Boston, Mass., in possession of R & S Pickle Works, Inc.

SHIPPED: Between 7–15–59 and 9–9–59, from Derry and Stratham, N.H., and Hatfield, Mass.

LIBELED: 7–14–60, Dist. Mass.

CHARGE: 402(a)(3)—contained insects, maggots, and decomposed cucumbers; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 8–22–60. Consent—claimed by R & S Pickle Works, Inc., and reconditioned.

26845. Pickles and pickle products (2 seizure actions). (F.D.C. Nos. 43813, 44009. S. Nos. 40–398 P, 48–908/11 P.)

QUANTITY: 5 bbls. onions, 18 bbls. gherkins, 4 bbls. alcaparrone, 165 bbls. peperoncini, 3 bbls. olives, 7 bbls. cut green beans, 120 cases of 24 8-oz. jars and 59 cases of 4 1-gal. jars of pickled mixed vegetables, and 200 cases of 24 8-oz. jars and 300 cases of 4 1-gal. jars of peperoncini, at Oakdale and San Francisco, Calif.

SHIPPED: The onions, gherkins, alcaparrone, peperoncini, and olives were imported from Italy between 10–15–57 and 11–22–57. The green beans were shipped on 8–3–57, from Eugene, Oreg. Such products were subsequently received by the Giambanco Wine Vinegar Plant at Oakdale, Calif. Portions of such products were subsequently used in the preparation of the pickled mixed vegetables by such plant and of those vegetables so prepared 11 cases were shipped to San Francisco by such plant on 11–13–59.

LABEL IN PART: (Some jars) "Pee Gee Brand PG Imported Italian Giardiniera Mixed Vegetables Contents 8 lb. * * * Packed in U.S.A. By Giambanco Wine Vinegar Plant, Oakdale, Calif." and "Sun Blest Imported Italian Giardiniera Mixed Vegetables in Wine Vinegar * * * Tiedemann & McMorran, Inc. * * * San Francisco."

LIBELED: 11–23–59 and 12–28–59, N. Dist. Calif.

CHARGE: 402(a)(3)—while held for sale, contained flies and other insect filth; and 402(a)(4)—prepared, packed, and held under insanitary conditions.

DISPOSITION: 2–15–60. The seizure actions having been consolidated and the Giambanco Wine Vinegar Plant, Oakdale, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were released under bond to be brought into compliance with the law. The articles were segregated with the result that 65 5/6 bbls. peperoncini, 4 bbls. capers, and 10 bbls. of pickles were found to be good and were released