

26507. Sweet pickles and sweet pickle relish. (F.D.C. No. 43202. S. Nos. 44-994, P, 48-281/2 P.)

INFORMATION FILED: 9-9-59, N. Dist. Calif., against the California Conserving Co., Inc., Mountain View, Calif., and Lawrence Lafleur, vice-president of the corporation.

ALLEGED VIOLATIONS: On 12-23-57, the defendants gave to a firm engaged in the business of shipping pickles in interstate commerce a guaranty to the effect that the articles delivered by the defendants under the guaranty would not be adulterated. Between 11-19-58 and 12-5-58, the defendants caused to be delivered to the holder of the guaranty quantities of sweet pickles and sweet pickle relish which were adulterated.

CHARGE: 402(a)(3)—contained insect filth; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 2-24-60. Corporation fined \$750; individual fined \$250 and placed on probation for 1 year.

26508. Sweet gherkins (pickles). (F.D.C. No. 44163. S. No. 90-644 P.)

QUANTITY: 75 cases, 12 10-oz. jars each, at Boston, Mass.

SHIPPED: 12-8-59, from Old Saybrook, Conn., by Goodman Bros., Inc.

LABEL IN PART: (Jar) "S. S. Pierce Co. * * * Overland Sweet Gherkins * * * Packed for S. S. Pierce Co. Boston, Mass."

LIBELED: 1-4-60, Dist. Mass.

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

DISPOSITION: 3-7-60. Default—destruction.

26509. Dill pickles in brine. (F.D.C. No. 42297. S. Nos. 13-824 P, 13-827 P.)

QUANTITY: 1,700 bushels at Chicago, Ill., in possession of Manhattan Pickle Co., Inc.

SHIPPED: Various times during August and September of 1956, 1957, and 1958 from Three Oaks, Mich., and vicinity.

LIBELED: 11-12-58, N. Dist. Ill.

CHARGE: 402(a)(3)—contained insects while held for sale; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-7-59. Consent—claimed by Manhattan Pickle Co., Inc., and destroyed.

TOMATOES AND TOMATO PRODUCTS

26510. Canned tomatoes. (F.D.C. No. 43639. S. No. 64-136 P.)

QUANTITY: 398 cases, 24 1-lb. cans each, at New Haven, Conn.

SHIPPED: 9-2-59, from Ellwood, Md., by Albert W. Sisk & Son.

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

RESULTS OF INVESTIGATION: Inspection disclosed that C. Brooks Nagel, Ellwood, Md., was the packer of the article.

LIBELED: 11-4-59, Dist. Conn.

CHARGE: 402(a)(3)—contained fly eggs and maggots; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-24-60. Default—destruction.