29614. Rice, dried white beans, lima beans, lentils, and garbanzo beans. (F.D.C. No. 49105. S. Nos. 764/5 X, 770 X, 772 X, 776/7 X.)

QUANTITY: 160 100-lb. bags of rice; 17 bags each containing 12 1-lb. pkgs. of white beans; 8 bags each containing 12 1-lb. pkgs. of lima beans; 5 bags each containing 12 1-lb. pkgs. of lentils; 5 bags each containing 12 1-lb. pkgs. of garbanzo beans; at Miami, Fla., in possession of R. Lopez & Co.

SHIPPED: Between 1-1-63 and 7-5-63, from Beaumont, Tex., Denver, Colo., and from outside the United States.

LABEL IN PART: (Bags) "Granos Fiesta * * * Mediana [or "Habas Limas," "Lentejas," or "Garbanzos"] * * * Packed by Cadur Trading Corporation Miami, Florida."

RESULTS OF INVESTIGATION: The beans had been repacked into one-pound packages after shipment as above.

LIBELED: 9-3-63, S. Dist. Fla.

CHARGE: 402(a)(3)—the rice contained insects and insect frass, the garbanzo beans contained insect frass and insect-damaged beans, and all the other beans contained insects, insect frass, and insect-damaged beans; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: On or about 9-30-63, R. Lopez & Co. filed an answer which denied that the articles were adulterated. On or about 11-21-63, the Government served written interrogatories upon the claimant. On 5-12-64, the Government filed a motion to strike the answer of the claimant and entered a judgment by default against the claimant, on the ground that the claimant had failed to answer written interrogatories. On 5-22-64, the claimant not having appeared at the hearing held on the Government's motion, and the claimant having had approximately 6 months within which to answer the Government's written interrogatories and having failed to answer them, the court granted the Government's motion and a default decree of condemnation and destruction was filed.

29615. Wheat. (F.D.C. No. 46825. S. No. 51-025 T.)

QUANTITY: 108,960 lbs. at Spokane, Wash.

SHIPPED: 11-7-61, from Glasgow, Mont., by Farmers Union Grain Terminal Association.

LIBELED: 11-30-61, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 12-8-61. Consent—claimed by Farmers Union Grain Terminal Association and denatured for use as animal feed.

29616. Wheat. (F.D.C. No. 48668. S. No. 24-776 V.)

QUANTITY: 120,000 lbs. at Ottawa Lake, Mich.

SHIPPED: 12-27-62, from Fowler, Mich., by Farmer's Cooperative Elevator, and reshipped 1-7-63, from Toledo, Ohio, by Michigan Elevator Exchange.

LIBELED: 1-9-63, E. Dist., Mich.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 2-18-63. Consent—claimed by Farmer's Cooperative Elevator, Fowler, Mich., and reconditioned.