

On 4-2-65, the claimant having failed to comply with the terms of the decree of 4-8-64, and the third extension of time within which to comply with that decree having expired, the court ordered the article destroyed.

30031. Wheat. (F.D.C. No. 50039. S. No. 56-227 A.)

QUANTITY: 241,040 lbs. at Council Bluffs, Iowa.

SHIPPED: 3-11-64 and 3-20-64, from Crete, Nebr., and Benedict, Nebr.

LIBELED: 4-3-64, S. Dist. Iowa.

CHARGE: 402(a)(3)—contained rodent excreta pellets while held for sale.

DISPOSITION: 6-26-64. Consent—claimed by Bartlett & Co. Grain, Council Bluffs, Iowa. Reconditioned; 23,950 lbs. destroyed.

30032. Wheat. (F.D.C. No. 50215. S. Nos. 66-116 A, 71-012 A.)

QUANTITY: 120,000 lbs. at Minneapolis, Minn.

SHIPPED: 4-28-64, from Havre, Mont., by Farmers Grain Exchange.

LIBELED: 5-27-64, Dist. Minn.

CHARGE: 402(a)(2)(B)—when shipped, the article contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a) since no tolerance or exemption for mercurial compounds on wheat had been prescribed by regulations.

DISPOSITION: The article was claimed by Farmers Grain Exchange and a consent decree of condemnation was entered on 6-22-64, providing for reconditioning. The time for compliance expired and on 12-23-64, an order of destruction was entered by the court.

30033. Wheat cereal. (F.D.C. No. 50486. S. No. 28-284 X.)

INFORMATION FILED: 10-9-64, Dist. Kans., against Herbert C. Jones, t/a Jones Milling Co., Wichita, Kans.

SHIPPED: 7-10-63, from Wichita, Kans., to St. Joseph, Mo.

LABEL IN PART: (Bag) "JONES Klean Cracked Wheat cereal Net Wt. 2 Lbs. Jones Milling Co., Wichita 5, Kansas."

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

PLEA: Nolo contendere.

DISPOSITION: 1-19-65. \$250 fine.

30034. Raised Donut base. (F.D.C. No. 50732. S. No. 65-236 A.)

QUANTITY: 11 100-lb. bags, at Whittier, Calif., in possession of Dolan Donuts.

SHIPPED: 8-4-64, from Portland, Oreg.

LIBELED: 11-9-64, S. Dist. Calif.

CHARGE: 402(a)(3)—contained insects, insect larvae, and insect webbing; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 12-2-64. Default—destruction.

30035. Raised Donut base. (F.D.C. No. 50741. S. No. 65-237 A.)

QUANTITY: 167 100-lb. bags, at Los Angeles, Calif., in possession of Flour, Inc.

SHIPPED: 8-12-64, from Portland, Oreg.

LIBELED: 11-17-64, S. Dist. Calif.

CHARGE: 402(a) (3)—contained insects, insect larvae, and insect parts; and
402(a) (4)—held under insanitary conditions.

DISPOSITION: 12-9-64. Default—destruction.

DAIRY PRODUCTS

BUTTER

30036. Butter. (F.D.C. No. 50192. S. Nos. 69-559 A, 70-653 A.)

QUANTITY: 45 64-lb. boxes at Chicago, Ill.

SHIPPED: 9-9-64, from Dickinson, N. Dak., by Western Creamery Association.

LABEL IN PART: (Box) "Creamery Butter Distributed by H. C. Christians Co.
Chicago, Illinois."

LIBELED: 9-16-64, N. Dist. Ill.

CHARGE: 402(b) (2)—a product containing less than 80 percent by weight of
milk fat had been substituted for butter when shipped.

DISPOSITION: 11-4-64. Consent—claimed by H. C. Christians Co., Chicago, Ill.,
and reworked.

MISCELLANEOUS DAIRY PRODUCT

30037. Nonfat dry milk and cornmeal. (F.D.C. No. 50477. S. Nos. 56-923/5 A.)

INFORMATION FILED: 9-28-64, Dist. Kans., against Associated Wholesale
Grocers, Inc., Kansas City, Kans., Louis Fox, general manager, and W. John
Russell, superintendent.

ALLEGED VIOLATION: Between 6-13-63 and 1-13-64, while quantities of nonfat
dry milk (count 1), yellow cornmeal (count 2), and white cornmeal (count
3) were being held for sale after shipment in interstate commerce, the articles
were caused to be held in a building that was infested by insects and to be ex-
posed to contamination by insects, which acts resulted in the articles being
adulterated.

CHARGE: 402(a) (3)—contained insects and insect larvae; and 402(a) (4)—
held under insanitary conditions.

PLEA: Guilty by corporation to counts 1, 2 and 3, and by the individuals to
count 1.

DISPOSITION: 2-5-65. Individuals fined \$25 each; corporation fined \$200, and
costs.

EGGS

30038. Frozen eggs. (F.D.C. No. 50167. S. No. 8-036 V.)

INFORMATION FILED: 12-15-64, Dist. Mass., against Saul F. Fleishman, t/a
Fleishman & Co., Roxbury (Boston), Mass.

SHIPPED: Between 4-17-63 and 4-27-63, from Roxbury (Boston), Mass., to
Newport, R.I.

LABEL IN PART: (Cans) "Whole Eggs Fleishman & Co. 165 Terrace St., Bos-
ton, 20."

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

PLEA: Guilty.

DISPOSITION: 4-26-65. \$500 fine.