LIBELED: 7–26–65, M. Dist. Ala.

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

DISPOSITION: 9–15–65. Default—destruction.

30215. Donut flour. (F.D.C. No. 50839. S. No. 5–612 A.)

QUANTITY: 141 100-lb. bags at Winston-Salem, N.C., in possession of E. G. Forrest Co., Inc.

SHIPPED: 7–9–64, from Lincoln, Nebr.

LIBELED: 11–20–64, M. Dist. N.C.

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

DISPOSITION: 1–7–65. Consent—claimed by E. G. Forrest Co., Inc., and converted into animal feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

30216. Wheat. (Inj. No. 493.)

COMPLAINT FOR INJUNCTION FILED: 6–24–64, Dist. S. Dak., against Wetonka Equity Exchange, a corporation, Wetonka, S. Dak., James Blomster, president, and Leslie O. Holland, manager.

CHARGE: The complaint alleged that the defendants were engaged in operating a grain elevator facility which included a wooden crib-type elevator sheathed with corrugated sheet metal and lined with concrete in the areas under the main dump pit and boot pit, and denominated as Elevator No. 1, and a wooden crib-type grain elevator sheathed with wooden siding, denominated as Elevator No. 2, for the storage and distribution of wheat for human consumption,

The complaint alleged further that the wheat consisted in part of a filthy substance by reason of the presence of mice, insects, bird excreta, and rodent excreta in the food; and that such food had been and was then being held at the defendants' grain elevator facility at Wetonka, S. Dak., under insanitary conditions whereby it might have become contaminated with filth, thereby rendering such food adulterated within the meaning of 402(a)(3) and 402(a)(4); that insanitary conditions of the defendants' grain elevator facility at Wetonka, S. Dak., resulted from and consisted of the presence in the wooden crib-type grain elevator sheathed with wooden siding and denominated as Elevator No. 2 of the following: on and adjacent to the main floor of Elevator No. 2, 2 live mice in the northwest corner of bin No. 12, 1 dead mouse in the grain cleaner, 4 rodent holes in the south wall at the level of the main floor, approximately 6 rodent pellets in an area of less than ¼ square foot on the floor adjacent to the bottom of bin No. 11, a rodent hole in the northwest corner of bin No. 12 approximately 12 inches from the floor, approximately 6 rodent pellets in a ¼ square foot area adjacent to bin No. 1, 4 holes in the outside wall along the south side of the driveway and 3 feet above the driveway, approximately 50 rodent pellets in an area of less than ½ square foot proximate to the bottom of bin No. 11, a hole approximately 5 inches in diameter beneath the south side of the elevator, a hole approximately 1½ inches in diameter in the southeast corner of the elevator foundation, an outside south door leading underneath the elevator cracked open ap-