

**LIBELED:** 7-17-61, Dist. Minn.

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

**DISPOSITION:** 7-26-61. Consent—claimed by Peavey Elevators, Div. of F. H. Peavey & Co. Segregated; 7,980 lbs. denatured for use as animal feed.

**27937. Wheat.** (F.D.C. No. 46127. S. No. 54-749 R.)

**QUANTITY:** 87,000 lbs. at Duluth, Minn.

**SHIPPED:** 6-21-61, from Mott, N. Dak., by Atwood Larson and John F. Swindler.

**LIBELED:** 7-18-61, Dist. Minn.

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

**DISPOSITION:** 7-31-61. Consent—claimed by Marion Swindler, Mott, N. Dak., and converted into animal feed.

**27938. Wheat.** (F.D.C. No. 46181. S. No. 71-230 R.)

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

**SHIPPED:** 7-18-61, from Conde, S. Dak., by Farmers Elevator Co.

**LIBELED:** 8-17-61, Dist. Minn.

**CHARGE:** 402(a) (2) (B)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, a mercurial compound, which is unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on wheat has been prescribed by regulations.

**DISPOSITION:** 8-29-61. Consent—claimed by Farmers Elevator Co. Segregated; 42,510 lbs. destroyed.

**27939. Wheat.** (F.D.C. No. 46542. S. No. 51-741 T.)

**QUANTITY:** 117,000 lbs. at Tacoma, Wash.

**SHIPPED:** 10-26-61, from Devon, Mont.

**RESULTS OF INVESTIGATION:** Examination showed that the article was in a railroad car infested with live mice.

**LIBELED:** 11-20-61, W. Dist. Wash.

**CHARGE:** 402(a) (3)—contained rodent excreta and rodent urine while in interstate commerce; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 11-28-61. Consent—claimed by Cargill, Inc., Minneapolis, Minn., and converted into animal feed.

**27940. Wheat.** (F.D.C. No. 46840. S. No. 52-956 T.)

**QUANTITY:** 89,000 lbs. at Spokane, Wash.

**SHIPPED:** 11-27-61, from Cut Bank, Mont., by Farmers Trading Co., Inc.

**LIBELED:** 12-7-61, E. Dist. Wash.

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

**DISPOSITION:** 12-18-61. Consent—claimed by Farmers Trading Co., Inc., and denatured.

**27941. Puffed rice and puffed wheat.** (F.D.C. No. 46097. S. Nos. 79-816/7 R, 87-252/3 R.)

**QUANTITY:** 145 cases, 24 pkgs. each, and 179 cases, 18 pkgs. each, of puffed rice; and 100 cases, 24 pkgs. each, and 175 cases, 18 pkgs. each, of puffed wheat, at Baltimore, Md.

SHIPPED: Between 6-15-61 and 7-13-61, from outside the State of Maryland, by Quaker Oats Co.

LABEL IN PART: (Pkg.) "Quaker Puffed Rice \* \* \* Weight 4½ Oz. Net [or "Weight 6¾ Oz. Net"] Manufactured by The Quaker Oats Company \* \* \* Chicago" and "Quaker Puffed Wheat \* \* \* Weight 4 Oz. Net [or "Weight 6 Oz. Net"] Manufactured by The Quaker Oats Company \* \* \* Chicago."

RESULTS OF INVESTIGATION: Examination showed that the articles were short weight.

LIBELED: 7-19-61, Dist. Md.

CHARGE: 403(e) (2)—when shipped, the articles failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 9-6-61. Consent—distributed to a charitable institution.

**27942. Puffed wheat and puffed rice.** (F.D.C. No. 46111. S. Nos. 79-536/7 R.)

QUANTITY: 51 cases, 18 pkgs. each, of puffed wheat, and 91 cases, 18 pkgs. each, of puffed rice, at Landover, Md.

SHIPPED: 7-7-61, from Lemoyne, Pa., by Quaker Oats Co.

LABEL IN PART: (Pkg.) "Quaker Puffed Wheat \* \* \* Weight 6 Oz. Net [or "Quaker Puffed Rice \* \* \* Weight 6¾ Oz. Net"] Manufactured by The Quaker Oats Company Chicago."

RESULTS OF INVESTIGATION: Examination showed that the articles were short weight.

LIBELED: 7-27-61, Dist. Md.

CHARGE: 403(e) (2)—when shipped, the articles failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 12-26-61. Consent—distributed to a charitable institution.

**27943. Batter mix.** (F.D.C. No. 45911. S. No. 70-842 R.)

QUANTITY: 225 50-lb. bags at Boston, Mass., in possession of Kelso Warehouse, Inc.

SHIPPED: 11-23-60, from Chicago, Ill.

LIBELED: 5-29-61, Dist. Mass.

CHARGE: 402(a) (3)—contained rodent excreta pellets; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 7-10-61. Default—delivered to a public institution for use as animal feed.

## DAIRY PRODUCTS

### BUTTER

**27944. Butter.** (F.D.C. No. 43749. S. No. 39-521 R.)

QUANTITY: 49 16-lb. cases at St. Louis, Mo.

SHIPPED: 9-12-60, from Omaha, Nebr., by Harding Creamery Co.

LABEL IN PART: "Meramec Farms Butter Packed by Sugar Creek Creamery Division, National Dairy Products Corporation, Danville, Illinois Churned from Pasteurized Cream."

LIBELED: 9-23-60, E. Dist. Mo.

CHARGE: 402(a) (3)—contained insect parts when shipped.

DISPOSITION: 10-31-60. Default—delivered to a charitable institution for use as animal feed.