

moved from the storage facilities, and all equipment used in storing such grains was clean; all rodent, insect, and bird filth in and about the storage facilities was eliminated; the means of ingress and egress by rodents, insects, and birds were closed; and any similar insanitary conditions which may result in contamination of grain while held at such storage facilities were eliminated.

2. An inspection was made of the storage facilities by the Food and Drug Administration and a report made to the court that the above-mentioned insanitary conditions no longer existed.

27077. Wheat. (F.D.C. No. 44814. S. No. 43-880 R.)

QUANTITY: 121,500 lbs. at Spokane, Wash.

SHIPPED: 9-19-60, from Conrad, Mont., by Occident Elevator Co.

LIBELED: 10-19-60, E. Dist. Wash.

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

DISPOSITION: 11-2-60. Consent—claimed by Occident Elevator Co. Segregated; 12,400 lbs. converted into animal feed.

27078. Wheat. (F.D.C. No. 45326. S. No. 35-319 R.)

QUANTITY: 1,833 bushels at Clifton, N.J.

SHIPPED: 12-8-60, from Dansville, N.Y., by Dansville Farm Supply.

LIBELED: 1-4-61, Dist. N.J.

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

DISPOSITION: 2-3-61. Consent—claimed by Dansville Farm Supply, and denatured for use as animal feed.

27079. Wheat. (F.D.C. No. 45399. S. No. 55-535 R.)

QUANTITY: 104,140 lbs. at Tacoma, Wash.

SHIPPED: 12-29-60, from Conrad, Mont., by Farmers Union Grain Terminal Association.

LIBELED: 1-19-61, W. Dist. Wash.

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

DISPOSITION: 1-23-61. Consent—claimed by Farmers Union Grain Terminal Association, Great Falls, Mont., and denatured.

27080. Wheat. (F.D.C. No. 45407. S. No. 55-768 R.)

QUANTITY: 42,210 lbs. at Nisqually, Wash.

SHIPPED: 1-21-61, from Gooding, Idaho, by Western Warehouse Co.

LIBELED: 1-26-61, W. Dist. Wash.

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

DISPOSITION: 2-7-61. Consent—claimed by Western Warehouse Co., and denatured.

27081. Wheat. (F.D.C. No. 45409. S. No. 47-189 R.)

QUANTITY: 120,640 lbs. at Toledo, Ohio.

SHIPPED: 1-13-61, from Imlay City, Mich., by Michigan Elevator Exchange.

LIBELED: 1-31-61, N. Dist. Ohio.

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

DISPOSITION: 2-10-61. Consent—claimed by Michigan Elevator Exchange, Lansing, Mich., and reconditioned by cleaning and fumigating.

27082. Wheat. (F.D.C. No. 45455. S. No. 44-938 R.)

QUANTITY: 90,000 lbs. at Spokane, Wash.

SHIPPED: 2-23-61, from Big Sandy, Mont., by Farmers Union Grain Terminal Association.

LIBELED: 3-14-61, E. Dist. Wash.

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

DISPOSITION: 3-17-61. Consent—claimed by Farmers Union Grain Terminal Association and denatured for use as animal feed.

27083. Wheat germ. (F.D.C. Nos. 45128, 45138. S. Nos. 54-826 R, 54-829 R.)

QUANTITY: 869 100-lbs. bags at Monticello, Ill., in possession of Vio Bin Corp.

SHIPPED: Between 9-6-60 and 9-27-60, from Kansas City and Great Falls, Mo., and Chicago, Ill.

LIBELED: 10-27-60, E. Dist. Ill.; amended libel 11-17-60.

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

DISPOSITION: 12-7-60 and 12-19-60. Consent—claimed by Vio Bin Corp., and denatured for use as animal feed.

CHOCOLATE, SUGAR, AND RELATED PRODUCTS

CHOCOLATE PRODUCT

27084. Chocolate-coated peanuts. (F.D.C. No. 45085. S. No. 37-671 R.)

QUANTITY: 9 30-lb. ctns. at Barclay, Md.

SHIPPED: 10-18-60, from Philadelphia, Pa., by Lummis & Co.

LABEL IN PART: (Ctn.) "Lummis Chocolate Peanuts Lummis & Co., Phila. 6, Pa. Double-Dipped Milk * * * L4630 A & C Candy Co., Barclay, Md."

RESULTS OF INVESTIGATION: Examination showed the article to be peanuts covered with a chocolate-colored coating containing fat other than cacao fat.

LIBELED: 11-8-60, Dist. Md.

CHARGE: 402(b)(2)—when shipped, a fat other than cacao fat had been substituted in whole or in part for cacao fat; and 403(a)—the label statements "Chocolate Peanuts" and "Double-Dipped Milk" were false and misleading as applied to a product which was not double coated with milk chocolate.

DISPOSITION: 12-6-60. Default—delivered to charitable institutions.

CONFECTIONERY

27085. Candy suckers. (F.D.C. No. 43378. S. No. 79-993 P.)

QUANTITY: 32 ctns., 24 1-oz. suckers each, at Detroit, Mich.

SHIPPED: 6-8-59, from Atlanta, Ga., by Beckham Candy Co.

LABEL IN PART: (Sucker) "Flap Jack * * * Beckham Candy Co. Atlanta, Ga." and (ctn.) "Beckham's Flapjack Sucker * * * Beckham Candy Co. Atlanta, Ga."

LIBELED: On or about 7-7-59, E. Dist. Mich.