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.