PLEA: Nolo contendere.

DISPOSITION: 2–10–61. Each defendant fined $140, plus costs.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

27262. Quick cooking oats. (F.D.C. No. 45439. S. Nos. 29–678 R, 52–735 R.)

QUANTITY: 120 cases, 12 2-lb. 10-oz. pkgs. each, at Fargo, N. Dak.

SHIPPED: 1–26–61, from Keokuk, Iowa, by General Mills, Inc.

LABEL IN PART: (Pkg.) "Red Owl Quick Cooking Oats Red Owl Stores, Inc., Distributors, Minneapolis, Minn."

LIBELED: 3–2–61, Dist. N. Dak.

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

DISPOSITION: 4–21–61. Default—destruction.

27263. Quick cooking oats. (F.D.C. No. 45441. S. No. 28–249 R.)

QUANTITY: 99 cases, 12 2-lb. 10-oz. pkgs. each, at Marshfield, Wis.

SHIPPED: 1–30–61, from Keokuk, Iowa, by General Mills, Inc.

LABEL IN PART: (Pkg.) "Royal Scarlet * * * Quick Cooking Oat Flakes Distributors R. C. Williams & Co., Inc. New York, N.Y."

LIBELED: 3–2–61, W. Dist. Wis.

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

DISPOSITION: 5–9–61. Default—delivered to a public institution for use as animal feed.

27264. Unpopped popcorn (2 seizure actions). (F.D.C. Nos. 45460, 45461. S. Nos. 17–597/8 R.)

QUANTITY: 26 cases, 24 1-lb. bags each, and 26 cases, 12 2-lb. bags each, at Hobbs, N. Mex.

SHIPPED: Prior to 11–6–60 and 12–9–60, from Dallas, Tex.

LIBELED: 2–6–61, Dist. N. Mex.

CHARGE: 402(a)(3)—contained insects, insect fragments, insect excreta, and insect-damaged kernels while held for sale.

DISPOSITION: 3–8–61. Default—delivered to a public institution for use as animal feed.

27265. Unpopped popcorn. (F.D.C. No. 45506. S. Nos. 51–582/4 R.)

QUANTITY: 54 cases, 24 12-oz. bags each, 121 cases, 12 24-oz. bags each, and 113 cases, 24 12-oz. bags each, at Mountainair, N. Mex., in possession of Ray's Bean Co.

SHIPPED: 1–16–59 and 3–21–60, from Kansas City, Mo.

RESULTS OF INVESTIGATION: The article was shipped in bulk and thereafter repacked by the dealer into bags as described above.

LIBELED: 3–8–61, Dist. N. Mex.

CHARGE: 402(a)(3)—contained (all lots) insects and insect-damaged kernels, (121-case lot) rodent excreta pellets, (113-case lot) insect excreta and insect webbing, and moldy kernels; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 4–10–61. Default—delivered to a public institution for use as animal feed.