INFORMATION FILED: 8–28–59, Dist. Mass., against American Flour Co., a corporation, Charlestown, Mass., and Sidney Zion, treasurer and manager.

ALLEGED VIOLATIONS: Between 2–1–58 and 10–3–58, the defendants caused quantities of breading mix and doughnut mix, while held for sale after shipment in interstate commerce, to be held in a building accessible to insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

On 9–15–58, the defendants caused a quantity of meal which was adulterated to be introduced into interstate commerce at Charlestown, Mass., for delivery to Providence, R.I.

CHARGE: 402(a)(3)—the articles contained insects and insect parts; and 402(a)(4)—the breading mix and the doughnut mix were held under insanitary conditions, and the meal was prepared under insanitary conditions.

PLEA: Guilty by the company and nolo contendere by the individual.

DISPOSITION: 6–12–61. The company was fined $300; the individual was fined $200.

27565. Milo maize. (F.D.C. No. 46262. S. Nos. 51–059/61 R.)

QUANTITY: 34,000 lbs. at Floyd, N. Mex.

SHIPPED: Between 5–20–61 and 5–31–61, from Lubbock, Tex., by DeKalb Agricultural Association, Inc.

LIBELED: 8–23–61, Dist. N. Mex.; amended 8–31–61.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, contained pesticide chemicals, namely, captan and heptachlor, which are unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemicals on milo maize has been prescribed by regulations.

DISPOSITION: 10–2–61. Default—destruction.

27566. Rice and chickpeas. (F.D.C. No. 45229. S. Nos. 33–061/2 R.)

INFORMATION FILED: 3–29–61, Dist. N.J., against East Coast Food Merchants Co., a partnership, Hoboken, N.J., and Alexander Weinreb and Samuel Weinreb, partners.

ALLEGED VIOLATIONS: Between 1–6–60 and 6–6–60, the defendants caused quantities of rice and chickpeas, while held for sale after shipment in interstate commerce, to be held in a warehouse accessible to rodents, and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

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

PLEA: Guilty.

DISPOSITION: 6–2–61. Each individual fined $300; imposition of sentence suspended with respect to the partnership.

27567. Puffed rice. (F.D.C. No. 46222. S. No. 91–918 R.)

QUANTITY: 101 cases, 18 pkgs. each, at Bronx, N.Y.

SHIPPED: 6–13–61 and 6–28–61, from Shiremanstown, Pa., by Quaker Oats Co.

LABEL IN PART: (Pkg.) "Weight 6¾ Oz. Net * * * Quaker Puffed Rice Manufactured by The Quaker Oats Company, Chicago."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-7-61, S. Dist. N.Y.

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

DISPOSITION: 10-9-61. Default—delivered to a charitable institution.

27568. Puffed rice and puffed wheat. (F.D.C. No. 46225. S. Nos. 34-000 R, 83-917 R.)

QUANTITY: 116 cases, 18 pkgs. each, of puffed rice and 100 cases, 18 pkgs. each, of puffed wheat, at Mount Kisco, N.Y.

SHIPPED: 6-27-61, from Shiremanstown, Pa., by Quaker Oats Co.

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

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

LIBELED: 8-14-61, S. Dist. N.Y.

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

DISPOSITION: 10-3-61. Default—delivered to a charitable institution.

27569. Sausage filler. (F.D.C. No. 46419. S. No. 46-047 R.)

QUANTITY: 281 100-lb. bags at Savannah, Ga., in possession of Coastal Bonded Warehouse.

SHIPPED: 4-28-61 and 7-10-61, from Baltimore, Md.

LIBELED: 8-29-61, S. Dist. Ga.

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

DISPOSITION: 10-5-61. Consent—claimed by Baltimore Spice Co., Baltimore, Md., and released under bond to be denatured for use as animal feed.

27570. Wheat. (F.D.C. Nos. 45796, 45797. S. Nos. 55-352 R, 55-354 R.)

QUANTITY: 48,000 lbs. and 20,330 lbs. at Portland, Oreg.

SHIPPED: The 48,000-lb. lot was shipped on 5-1-61, from American Falls, Idaho, by the Midland Elevator Co.; the 20,330-lb. lot was shipped on 5-2-61, from Copeland, Idaho, by the General Feed & Grain Co., Simons Elevator.

LIBELED: 5-12-61, Dist. Oreg.

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

DISPOSITION: 6-13-61. Consent—the 48,000-lb. lot was claimed by Sterling H. Nelson & Sons, Inc.; the 20,330-lb. lot was claimed by Atwood-Larson Co., Inc. Both lots were denatured for use as animal feed.

27571. Wheat. (F.D.C. No. 46303. S. No. 66-329 R.)

QUANTITY: 318,000 lbs. at Springfield, Mo.

SHIPPED: 6-26-61 and 6-27-61, from Minneapolis, Minn., by Scroggins Grain Co.