24485. Wheat. (F.D.C. No. 41006. S. No. 71–140 M.)

QUANTITY: 107,400 lbs. at Duluth, Minn.

SHIPPED: 11–6–57, from Niagara, N. Dak., by Niagara Cooperative Elevator Co.

LIBELED: 11-22-57, Dist. Minn.

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

DISPOSITION: 11–29–57. Consent—claimed by Niagara Cooperative Elevator Co. Segregated; 3,536 lbs. converted into animal feed.

24486. Wheat. (F.D.C. No. 40394. S. Nos. 83–362 M, 84–703 M.)

QUANTITY: 100,800 lbs. at South Milford, Ind.

SHIPPED: 7–19–57, from South Milford, Ind., by Home Grain Co. to Toledo, Ohio, and returned on 7–24–57.

LIBELED: 7–31–57, N. Dist. Ind.

CHARGE: 402(a)(2)—the article was a raw agricultural commodity and contained a pesticide chemical, 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: 11–1–57. Consent—claimed by Home Grain Co. Portion converted into glue flour and remainder destroyed.

24487. Doughnut mix, flour, rice, cornmeal, and rolled oats. (F.D.C. No. 40610. S. Nos. 55–199/200 M, 55–786 M, 65–561/2 M, 65–565/6 M, 65–568 M, 65–570/1 M.)

INFORMATION FILED: 2–12–58, E. Dist. Ky., against Justin M. Schneider, t/a Central Sales, Covington, Ky.

ALLEGED VIOLATION: Between 6–6–57 and 6–13–57, while quantities of doughnut mix, flour, rice, cornmeal, and rolled oats were held for sale after shipment in interstate commerce, the defendant caused quantities of the articles to be placed in a building that was accessible to dirt, insects, birds, and rodents, and to be exposed to contamination by dirt, insects, birds, and rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained one or more of the following: confused flour beetles, sawtooth grain beetles and larvae, cadelle beetles and larvae, cinders, fibers, fine black dust, bird excreta, moth and weevil larvae, insect fragments, rodent hairs, flat grain beetle larvae, lesser grain borer larvae, rodent urine, mouse or rat excreta pellets, or hairy fungus beetles; and 402(a)(4)—held under insanitary conditions.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court without a jury on 4–21–58. On 4–22–58, the defendant was found guilty and fined $1,000, plus costs.

24488. Doughnut mix. (F.D.C. No. 40773. S. No. 84–111 M.)

QUANTITY: 7 40-lb. boxes at St. Louis, Mo.

SHIPPED: 8–12–57, from Jackson, Mich.

LIBELED: 10–7–57, E. Dist. Mo.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 11–4–57. Default—destruction.