LIBELED: 7–12–60, Dist. Minn.

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

DISPOSITION: 7–15–60. Consent—claimed by Farmers Elevator Co., and denatured for use as animal feed.

26760. Wheat (2 seizure actions). (F.D.C. Nos. 44513, 44522. S. Nos. 29–150 R, 29–833 R.)

QUANTITY: 68,400 lbs. at Minneapolis, Minn.

SHIPPED: 6–29–60 and 6–30–60, from Voltaire, N. Dak., by Voltaire Farmers Elevator Co.

LIBELED: 7–6–60 and 7–13–60, Dist. Minn.

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

DISPOSITION: 7–12–60 and 7–15–60. Consent—claimed by Voltaire Farmers Elevator Co., and denatured for use as animal feed.

CHOCOLATE, CONFECTIONERY, AND SUGAR

CHOCOLATE PRODUCT

26761. Chocolate dip coating. (F.D.C. No. 44473. S. No. 38–789 R.)

QUANTITY: 143 cases, 6 6-lb. 14-oz. cans each, at Granite City, Ill.

SHIPPED: 2–16–60 and 3–23–60, from Minneapolis Minn., by Food Producers, Inc.

LABEL IN PART: (Can) "Chocolate Dip Coating * * * Contains: * * * Dutch Process Cocoa * * * Glenwood Inn Foods, Minneapolis 4, Minn."

LIBELED: 5–31–60, S. Dist. Ill.

CHARGE: 402(b)(1)—when shipped, a valuable constituent, chocolate, had been in whole or in part omitted from the article; 403(a)—the label statement "Chocolate Dip Coating" was false and misleading; and 403(g)(1)—the article purported to be and was represented as chocolate coating, and it failed to conform to the standard of identity for such food.

DISPOSITION: 6–23–60. Consent—claimed by Food Producers, Inc., and relabeled.

CONFECTIONERY *

26762. Peanut brittle. (F.D.C. No. 43997. S. No. 71–309 P.)

QUANTITY: 70 cases, 24 boxes each, at Evansville, Ind.

SHIPPED: 9–28–59, from Chicago, Ill., by Forrest Baking Corp.

LABEL IN PART: (Box) "Foodmaster's Peanut Brittle * * * One Full Pound Net Weight * * * Foodmaster Specialties, Inc., New York, N.Y."

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

LIBELED: 1–5–60, S. Dist. Ind.

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

DISPOSITION: 7–1–60. Default—destruction.

*See also No. 26754.