

CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, a mercurial compound, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on wheat has been prescribed by regulations.

DISPOSITION: 2-19-59. Consent—claimed by Perman and Ed Odenbach, t/a Emil Perman Elevator, Greenway, S. Dak. Segregated; 18,220 lbs. destroyed.

25670. Wheat. (F.D.C. No. 42731. S. No. 10-238 P.)

QUANTITY: 83,400 lbs. at Buffalo, N.Y.

SHIPPED: 2-25-59, from Norwalk, Ohio, by Huron Farm Bureau Cooperative Association.

LIBELED: 3-5-59, W. Dist. N.Y.

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

DISPOSITION: 3-11-59. Consent—claimed by Farm Bureau Cooperative Association, Columbus, Ohio, and converted into animal feed.

25671. Unpopped popcorn. (F.D.C. No. 42634. S. Nos. 10-203/4 P.)

QUANTITY: 218 cases, 12 2-lb. bags each, and 85 cases, 6 4-lb. bags each, at Buffalo, N.Y.

SHIPPED: 9-13-58, from Indianapolis, Ind.

LIBELED: 12-9-58, W. Dist. N.Y.

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

DISPOSITION: 1-13-59. Default—destruction.

25672. Unpopped popcorn. (F.D.C. No. 42615. S. No. 10-200 P.)

QUANTITY: 43 cases, 12 2-lb. bags each, at Olean, N.Y.

SHIPPED: 9-25-58, from Indianapolis, Ind.

LIBELED: 12-4-58, W. Dist. N.Y.

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

DISPOSITION: 1-13-59. Default—destruction.

25673. Unpopped popcorn. (F.D.C. No. 42639. S. No. 10-709 P.)

QUANTITY: 20 cases, 24 bags each, at Cortland, N.Y.

SHIPPED: 10-2-58, from Lincoln, Nebr.

LIBELED: 12-15-58, N. Dist. N.Y.

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

DISPOSITION: 1-30-59. Default—destruction.

DAIRY PRODUCTS

BUTTER

25674. Butter. (F.D.C. No. 43056. S. Nos. 25-676 P, 25-880 P.)

INFORMATION FILED: 4-21-59, Dist. Nebr., against Frank J. Figge, t/a West Point Creamery, West Point, Nebr.

SHIPPED: 7-30-58 and 9-20-58, from Nebraska to Minnesota.

LABEL IN PART: (Ctn) "Creamery Butter West Point Creamery West Point Nebr. Net. Wt. 64 Lbs."