

LABEL IN PART: (Bag) "Bewleys' Best Enriched Flour Bewley Mills Worth, Tex."

LIBELED: 8-28-58, E. Dist. La.

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

DISPOSITION: 10-13-58. Default—destruction.

25162. Flour. (F.D.C. No. 42002. S. No. 34-799 P.)

QUANTITY: 32 100-lb. bags, at Philadelphia, Pa., in possession of Par. Supply Co.

SHIPPED: 7-8-58, from Buffalo, N.Y.

LIBELED: 8-28-58, E. Dist. Pa.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under sanitary conditions.

DISPOSITION: 11-5-58. Default—destruction.

25163. Corn flour. (F.D.C. No. 42001. S. Nos. 8-002/3 P, 8-006 P.)

QUANTITY: 338 100-lb. bags at Lynn, Mass.

SHIPPED: Between 3-3-58 and 7-30-58, from Wilkes-Barre, Pa., Milwau Wis., and Chicago, Ill.

LIBELED: 8-22-58, Dist. Mass.

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

DISPOSITION: 11-24-58. Consent—claimed by Frank T. Howard Corp., Ly Mass., and denatured for use as animal feed.

### MISCELLANEOUS CEREALS AND CEREAL PRODUCTS\*

25164. Wheat. (Inj. No. 332.)

COMPLAINT FOR INJUNCTION FILED: 5-5-58, Dist. S. Dak., against South Dakota Wheat Growers Association, a corporation, Aberdeen, S. Dak., and Charles Croes, general manager and treasurer.

CHARGE: The complaint alleged that the defendants operated grain elevators at Nahon, Plana, Randolph, Takoma Park, and Verdon, S. Dak.; that the elevators which were of wood construction with crib-type bins were open only during harvest season, and when specific shipments were being loaded out or being received; that at all other times the elevators were closed, and there were no local managers on the premises; that the defendants were engaged in storing and distributing wheat for human consumption; and that the defendants had been and were at the time of filing the complaint causing to be introduced and delivered for introduction into interstate commerce wheat which was adulterated within the meaning of 402(a)(3) and (4) because of contamination with rodent, insect, and bird filth, and by reason of being held under insanitary conditions at the defendants' elevators and annexes at the above-mentioned places.

It was alleged further that the insanitary conditions resulted from and consisted of the following:

Nahon Elevator No. 1—bird and rodent excreta pellets and static grain to a depth of ½ inch in the driveway; rodent holes in the outside elevator wall; rodent-gnawed holes into the side of the elevator from the outside, and rodent

\*See also Nos. 25158, 25160, 25197, 25211, 25228.