

**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.