

27074. Rice. (F.D.C. No. 45172. S. No. 31-920 R.)

QUANTITY: 720 2-lb. bags at New Orleans, La.

SHIPPED: 10-20-60, from Houston, Tex., by Comet Rice Mills.

LABEL IN PART: (Bag) "Comet Wonder Regular * * * Rice * * * Comet Rice Mills."

LIBELED: 12-6-60, E. Dist. La.

CHARGE: 402(a)(3)—contained insects and insect excreta; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-15-61. Default—destruction.

27075. Rice. (F.D.C. No. 45303. S. No. 5-651 R.)

QUANTITY: 22 cases, 60 1-lb. boxes each, at Baltimore, Md.

SHIPPED: 6-8-60, from Mermentau, La., by Mermentau Rice Mill Co., Inc.

LABEL IN PART: (Box) "Lark Brand Long Grain Rice Sterling Sales Co., Inc., New Orleans, La."

RESULTS OF INVESTIGATION: Examination showed that the article was broken rice and not long grain rice.

LIBELED: 12-22-60, Dist. Md.

CHARGE: 402(a)(3)—contained insects and insect fragments while held for sale; and 403(a)—when shipped, the label statement "Long Grain Rice" was false and misleading.

DISPOSITION: 1-16-61. Default—destruction.

27076. Wheat, oats, and other grains for human consumption. (Inj. No. 379.)

COMPLAINT FOR INJUNCTION FILED: 6-20-60, Dist. S. Dak., against Glen R. Litehiser, t/a Litehiser Grain & Fuel Co., Seneca, S. Dak.

CHARGE: The complaint alleged that the defendant was engaged in operating a grain elevator consisting of a main elevator house and three storage bin annex buildings for the storage and distribution of wheat, oats, and other grain for human consumption, and that the defendant was causing to be introduced into interstate commerce such grains which were adulterated within the meaning of 402(a)(3) by reason of contamination with rodent, insect, and bird filth, and within the meaning of 402(a)(4) by reason of being held at defendant's elevator under insanitary conditions.

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

East Annex bin—rodent trails over the entire surface of the wheat stored therein, several rodent entries provided by holes in the wooden side walls, a dead rat lying on the floor; deep rodent trails at the edge of the grain along the east, north, and west walls, two rodent burrows in the surface of the grain, two rodent trails on top of the grain along the north wall, rodent burrows in the tar paper lining tacked to the wall, two rodent burrows in the surface of the grain along the west side of the bin, and one rodent entry in the west wall, approximately 50 rat pellets in a 10 foot square area along the west wall, a bird's nest at the top of a pile of wheat, and several hundred live tribolium beetles in a quart sample of grain collected from the surface, and the presence on the surface of the wheat in storage of hundreds of mouse and rat excreta pellets, grain kernels containing urine, bird excreta pellets and bird feathers, and hundreds of weevils, tribolium and flat grain beetles and larvae.