

- (8) Rodent excreta pellets in the wheat in the 13 of the 17 bins to which access for investigation could be obtained, with a range estimated at from 25 pellets per square foot to 100 pellets per square foot along the perimeter of the bins, and a proportionately higher number in the corners of most bins; and
- (9) Rodent nests in 3 bins.

DISPOSITION: On 1-11-65, a temporary restraining order was issued by the court. On 4-8-65, after a hearing by the court, a preliminary injunction was entered which, until further order of the court, enjoined the defendants from directly or indirectly: (1) introducing or causing to be introduced and delivering or causing to be delivered for introduction into interstate commerce in violation of the Act wheat for human consumption, and any similar article of food held at the defendants' grain storage facility at Michigan, N. Dak., unless and until:

- (a) the elevators were thoroughly cleaned and renovated and rendered suitable for use in connection with the storage of wheat for human consumption and any similar article of food, namely, unless and until all rodent filth was removed from the elevators; all rodent infestation in and about the elevators was eliminated; the means of ingress and egress of the elevators by rodents were closed; and any similar insanitary conditions which might result in contamination of wheat for human consumption or any similar articles of food while held at the elevators were eliminated, and
- (b) all of the wheat which was on hand at the elevators at the time the elevators were cleaned, renovated and rendered suitable for the storage of food for human consumption, was destroyed, denatured for use as animal food, or cleaned and otherwise reconditioned under the supervision of a duly authorized representative of the Food and Drug Administration, Department of Health, Education, and Welfare, and thus brought into compliance with the provisions of the Act;
- (2) introducing or causing to be introduced and delivering or causing to be delivered for introduction into interstate commerce in violation of the Act wheat for human consumption and any similar article of food which was adulterated within the meaning of 402(a)(3), in that it consisted in part of a filthy substance, and within the meaning of 402(a)(4), in that it had been held under insanitary conditions whereby it may have become contaminated with filth.

30518. Wheat. (F.D.C. No. 51474. S. No. 9-319 B.)

QUANTITY: 120,000 lbs. at Spokane, Wash.

SHIPPED: 7-28-65, from Wyndmere, N. Dak., by Farmers Grain & Fuel Co.

LIBELED: 8-12-65, E. Dist. Wash.

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

DISPOSITION: 8-23-65. Consent—claimed by Bunge Corp., New York, N.Y., and denatured.

30519. Wheat. (F.D.C. No. 51471. S. Nos. 10-139/40 B.)

QUANTITY: 221,000 lbs. at Spokane, Wash.

SHIPPED: 7-21-65, from Linton, N. Dak., by Farmers Elevator Co.

LIBELED: 8-5-65, E. Dist. Wash.