

1532. Adulteration of egg noodles. U. S. v. 64 Cases and 7 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 3177. Sample Nos. 32271-E, 32272-E.)

On October 18, 1940, the United States attorney for the District of Arizona filed a libel against 71 cartons of egg noodles at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about April 25 and September 5, 1940, by the L. A. Pacific Macaroni Co. from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Golden State Brand Pure Egg Noodles"; or "Italy Brand Pure Quality Egg Noodles."

On January 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1533. Adulteration of egg noodles. U. S. v. 50 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 2374. Sample No. 7995-E.)

This product was insect-infested.

On July 22, 1940, the United States attorney for the District of Arizona filed a libel against 50 cases of egg noodles at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about January 3, 1940, by the Skinner Manufacturing Co. from Omaha, Nebr.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Packages) "Mrs. Skinner's The Superior Egg Noodles."

On January 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1534. Adulteration of egg noodles. U. S. v. 150 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 3111. Sample Nos. 32261-E, 32262-E, 32263-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested.

On October 2, 1940, the United States attorney for the District of Arizona filed a libel against 150 cases of egg noodles at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about November 1, 1939, and July 24, 1940, by the Kentucky Macaroni Co. from Louisville, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Package) "Del Monico Brand Pure Egg Noodles."

On January 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1535. Adulteration and misbranding of egg noodles. U. S. v. Italian Mercantile Grocery & Manufacturing Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 2894. Sample No. 15579-E.)

This product was deficient in egg solids and was artificially colored.

On December 20, 1940, the United States attorney for the Eastern District of Missouri filed an information against the Italian Mercantile Grocery & Manufacturing Co., a corporation, at St. Louis, Mo., alleging shipment on or about May 27, 1940, from the State of Missouri into the State of Illinois of a quantity of egg noodles that were adulterated. The article was labeled in part: "Italina * * * Pure Egg Noodles."

It was alleged to be adulterated in that a valuable constituent, egg solids, had been in part omitted therefrom; in that a substance deficient in egg solids and containing added artificial color had been substituted in whole and in part for pure egg noodles; and in that added artificial color had been mixed or packed with it so as to make it appear better or of greater value than it was.

The article was alleged to be misbranded in that the statement "Pure Egg Noodles," appearing on the label, was false and misleading since it did not consist of pure egg noodles but consisted of a substance deficient in egg solids and containing added artificial color. It was alleged to be misbranded further in that it contained artificial coloring and did not bear labeling stating that fact; and in that it was an imitation of another food, namely, pure egg noodles.

On May 8, 1941, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$500.