

egg alimentary pastes should contain had been substituted in whole or in part for egg alimentary pastes; Section 402 (b) (3), the articles were inferior to egg alimentary pastes, and their inferiority had been concealed by the addition of artificial color; Section 402 (b) (4), artificial color had been mixed or packed therewith so as to make them appear better and of greater value than they were; and, Section 402 (c), they contained a coal-tar color other than one from a batch that had been certified in accordance with the regulations.

DISPOSITION: November 9, 1944. A plea of guilty was entered, and a fine of \$500 was imposed on each of 2 counts, for a total of \$1,000.

7352. Adulteration of alimentary paste products. U. S. v. V. Viviano & Bros. Macaroni Manufacturing Co., Inc. Plea of guilty. Fine, \$1,400. (F. D. C. No. 12542. Sample Nos. 9875-F, 47241-F, 47242-F, 47436-F to 47439-F, incl.)

INFORMATION FILED: On or about August 22, 1944, Eastern District of Missouri, against the V. Viviano & Bros. Macaroni Manufacturing Co., Inc., St. Louis, Mo.

ALLEGED SHIPMENT: From on or about January 23 to August 11, 1943, from the State of Missouri into the States of Texas, Tennessee, and Arkansas.

LABEL, IN PART: "Medium Egg Noodles," "Belmont Spaghetti [or "Macaroni"]," or "Viviano * * * DeLuxe Macaroni [or "Elbow Macaroni," "Spaghetti," or "Pure Egg Noodles"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of one or more of the following types of filth: Insects, rodent hairs, hairs resembling rodent or cat hairs, hair fragments resembling rodent hairs, insect fragments, rodent hair fragments, cat hair fragments, adult beetles, insect larvae, and a small fly; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: September 15, 1944. A plea of guilty was entered, and the defendant was fined \$200 on each of 7 counts, for a total of \$1,400.

7353. Adulteration of egg noodles. U. S. v. 19 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 12809. Sample No. 51674-F.)

LABEL FILED: June 28, 1944, District of Maine.

ALLEGED SHIPMENT: On or about May 10, 1944, by the Musolino Lo Conte Co., from Boston, Mass.

PRODUCT: 19 cases, each containing 12 1-pound bags, of egg noodles at Portland, Maine.

LABEL, IN PART: (Bags) "San Martin Brand Pure Home Style Egg Noodles * * * Mfg. By San Martin Foods Co. Boston, Massachusetts."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and fragments resembling rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7354. Adulteration of macaroni. U. S. v. 89 Cartons of Macaroni. Default decree of condemnation and destruction. (F. D. C. No. 14019. Sample Nos. 73913-F, 73914-F.)

LABEL FILED: October 11, 1944, District of Arizona.

ALLEGED SHIPMENT: On or about May 7 and June 18, 1943, by the Skinner Manufacturing Co., from Omaha, Nebr.

PRODUCT: 55 cartons and 34 cartons, each containing 48 7-ounce packages, of macaroni at Mesa, Ariz.

LABEL, IN PART: "* * * Skinner's The Superior Short Cut [or "Large"] Elbow Macaroni."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles.

DISPOSITION: November 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.