

7713. Adulteration of macaroni and spaghetti. U. S. v. 170 Cartons of Macaroni and 145 Cartons of Spaghetti. Default decree of condemnation and destruction. (F. D. C. No. 14634. Sample Nos. 73776-F to 73779-F, incl.)

LIBEL FILED: December 13, 1944, District of Arizona.

ALLEGED SHIPMENT: On or about August 30, 1944, by the Viviano & Brothers Macaroni Manufacturing Co., St. Louis, Mo.

PRODUCT: 170 cartons, each containing 24 7-ounce packages, of macaroni, and 145 cartons, each containing 24 7-ounce packages, of spaghetti, at Phoenix, Ariz.

LABEL, IN PART: (Packages) "De Luxe Macaroni [or "Elbow Macaroni," "Spaghetti," or "Elbow Spaghetti"]."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of beetles, larvae, insect fragments, and webbing.

DISPOSITION: February 9, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

7714. Adulteration of Tenderoni. U. S. v. 37 Cases and 82 Cases of Tenderoni. Default decrees of destruction. (F. D. C. Nos. 14722, 14917. Sample Nos. 80992-F, 80998-F.)

LIBELS FILED: On or about December 12 and 29, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 28 and November 1, 1944; by the Arma Elevator Co., from Arma and Pittsburg, Kans.

PRODUCT: 119 cases, each containing 24 6-ounce boxes, of Tenderoni at Kansas City, Mo.

LABEL, IN PART: "Van Camp's Tenderoni."

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 weevils, cast skins, and beetles.

DISPOSITION: January 26 and 29, 1945. No claimant having appeared, judgments were entered ordering that the product be destroyed. It was used for hog feed.

7715. Adulteration of Tenderoni. U. S. v. 223 Cases of Tenderoni. Default decree of destruction. (F. D. C. No. 14721. Sample No. 80991-F.)

LIBEL FILED: On or about December 12, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 23, 1944, by the Topeka Wholesale Grocery Co., Kansas City, Mo.

PRODUCT: 223 cases, each containing 24 6-ounce boxes, of Tenderoni at Kansas City, Mo.

LABEL, IN PART: "Van Camp's Tenderoni."

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: January 29, 1945. No claimant having appeared, judgment was entered ordering the product destroyed.

BAKERY PRODUCTS

7716. Adulteration of bread. U. S. v. Langendorf United Bakeries, Inc. Plea of nolo contendere. Fine, \$500 on one count, sentence suspended on other two counts. (F. D. C. No. 12603. Sample Nos. 13741-F, 13742-F, 39555-F.)

INFORMATION FILED: November 10, 1944, Southern District of California, against the Langendorf United Bakeries, Inc., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about April 6 and 20, 1944, from the State of California into the States of Arizona and Nevada.

LABEL, IN PART: "Langendorf Sliced Wheat Bread [or "Enriched Sliced White Bread"]," or "Dr. Penland's L Vitamin B₁ Wheat Bread."

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 one or more of the following: Larvae, larva fragments, pupae, insect heads, adult insects, cast skins, insect head and thorax, adult insect fragments including large body parts, skin, legs, and antennae, a rodent hair, a hair fragment resembling a rodent hair, and a feather barbule; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 26, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$500 on the first count was imposed. Pronouncement of sentence on the remaining two counts was suspended for 2 years, upon condition that the provisions of the Food, Drug, and Cosmetic Act be complied with by the defendant.

7717. Adulteration of cookies. U. S. v. 25 Cases, 25 Cases, 25 Cases, and 5 Cases of Cookies. Default decrees of condemnation. Products ordered sold. (F. D. C. No. 14714. Sample Nos. 90116-F to 90119-F, incl.)

LABELS FILED: On or about December 6, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: Between on or about December 14, 1943, and January 5, 1944, by Thomas and Clarke, from Peoria, Ill.

PRODUCT: 25 cases, each containing approximately 20 pounds; 25 cases, each containing approximately 22 pounds; 25 cases, each containing approximately 11 pounds; and 5 cases, each containing approximately 16 pounds, of cookies, at St. Louis, Mo.

LABEL, IN PART: "Shortbread," "Chocolate Shorties," "Marshmallow Cookies," or "Choc. Krunch."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of weevils, larvae, and insect fragments.

DISPOSITION: Between January 17 and 19, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered sold, under the direction of the Federal Security Agency, to be disposed of for purposes other than human consumption. On February 3, 1945, two portions were ordered destroyed since no purchaser had appeared.

7718. Adulteration of bakery products. U. S. v. 90 Boxes of Ice Cream Cones, and various amounts of other bakery products. Default decree of condemnation. Products ordered delivered to a public institution, for use as animal feed. (F. D. C. No. 14981. Sample Nos. 98702-F, 98707-F, 98708-F, 98710-F, 98718-F, 98719-F, 98724-F.)

LIBEL FILED: January 10, 1945, Eastern District of Arkansas.

ALLEGED SHIPMENT: Between the approximate dates of November 25 and December 14, 1944, by the National Biscuit Co., from Memphis, Tenn.

PRODUCT: 90 boxes, each containing 250 ice cream cones; 30 boxes, each containing 6 8 $\frac{3}{4}$ -ounce packages, of devil's food squares; 110 boxes, each containing 6 7 $\frac{1}{2}$ -ounce packages, of vanilla crests; 36 boxes, each containing 6 9 $\frac{1}{4}$ -ounce packages, of macaroon twigs; 107 bundles, each containing 6 1-pound cartons, of graham crackers; 74 bundles, each containing 2 2-pound cartons, of graham crackers; and 11 7-pound boxes of sugar cookies, at Little Rock, Ark.

LABEL, IN PART: "Waffle Cuplets For Ice Cream, Ices and Frozen Desserts," or "Nabisco Devil's Food Squares [or "Fancy Crests Vanilla," "Macaroon Twigs," "Sugar Honey Maid Graham Crackers," "Graham Crackers," or "Old Fashion Sugar Cookies"]."

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

DISPOSITION: January 26, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to a public institution, for use as animal feed.

CORN MEAL

7719. Adulteration of corn meal. U. S. v. Josey-Miller Co., Inc., and Wiley H. Culpepper. Pleas of guilty. Each defendant fined \$100 on count 1 and \$500 on count 2. Fine on count 2 suspended for 3 years. (F. D. C. No. 11402. Sample Nos. 41444-F, 61476-F.)

INFORMATION FILED: October 18, 1944, Eastern District of Texas, against the Josey-Miller Co., Inc., Beaumont, Tex., and Wiley H. Culpepper, treasurer and manager.

ALLEGED SHIPMENT: On or about February 10 and March 11, 1944, from the State of Texas into the State of Louisiana.

LABEL, IN PART: "Jo-Mil Tested Cream Meal."