

LABEL, IN PART: "Fireside Brand Elbow Macaroni [or "Long Spaghetti"]," "Mayfair Club Elbow Macaroni [or "Spaghetti"]," "First Prize Spaghetti," "La Carnegie Brand Macaroni Products * * * Elbows [or "Spaghetti"]," or "Kenny's Spaghetti."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles in 5 of the shipments consisted in whole or in part of filthy substances by reason of the presence of rodent hairs, rodent hair fragments, and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 402 (d), the containers of 1 of the shipments referred to above, and of the 2 remaining shipments, were so filled as to be misleading since the article in 1 shipment occupied on an average only about 45 percent of the capacity of the package, and the articles in 2 other shipments occupied on an average about 65 percent and 70 percent, respectively, of the capacity of the packages.

DISPOSITION: Between December 12, 1945, and March 18, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

10548. Adulteration of macaroni products. U. S. v. 130 Cases of Macaroni and 75 Cases of Spaghetti. (F. D. C. No. 17986. Sample Nos. 14546-H to 14548-H, incl.)

LIBEL FILED: October 24, 1945, Southern District of Indiana.

ALLEGED SHIPMENT: On or about August 1, 1945, by the Kentucky Macaroni Co., from Louisville, Ky.

PRODUCT: 84 cases, each containing 12 2-pound boxes, of macaroni and 46 cases, each containing 24 7-ounce packages, of macaroni and 75 cases, each containing 24 7-ounce packages, of spaghetti at Evansville, Ind.

LABEL, IN PART: "Speedway Brand * * * Elbow Macaroni," or "Farmers Pride Brand Spaghetti [or "Macaroni"]."

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

DISPOSITION: December 14, 1945. No claimant having appeared, judgment of forfeiture was entered and the products were ordered destroyed.

10549. Adulteration of egg noodles. U. S. v. 37 Cases * * *. (F. D. C. No. 17968. Sample No. 14411-H.)

LIBEL FILED: October 17, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 4, 1945, by Schoneberger and Sons, from Chicago, Ill.

PRODUCT: 37 cases, each containing 12 1-pound packages, of egg noodles at Ashland, Ohio.

LABEL, IN PART: "Gold Spun Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and fragments resembling rodent hairs.

DISPOSITION: December 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10550. Adulteration of Ravioli Dinner. U. S. v. 68 Cartons * * *. (F. D. C. No. 18103. Sample No. 23525-H.)

LIBEL FILED: November 7, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 12, 1944, by Wyler & Co., from Chicago, Ill.

PRODUCT: 68 cartons, each containing 12 4½-ounce packages, of Ravioli Dinner at St. Louis, Mo.

LABEL, IN PART: "Wyler's Ravioli Dinner."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles.

DISPOSITION: On December 7, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it should not be disposed of for human consumption. On January 4, 1946, the marshal having been unable to sell the product, it was ordered destroyed.

MISCELLANEOUS CEREAL PRODUCTS*

10551. Adulteration of ground barley. U. S. v. 200 Bags * * *. (F. D. C. No. 17661. Sample No. 1212-H.)

LIBEL FILED: October 12, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about September 24, 1945, by the Atlantic Co., from Norfolk, Va.

PRODUCT: 200 100-pound bags of ground barley at Atlanta, Ga.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils and larvae.

DISPOSITION: October 27, 1945. The Atlantic Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into stock feed, under the supervision of the Food and Drug Administration.

10552. Adulteration of brewers flakes. U. S. v. 550 Bags * * *. (F. D. C. No. 17710. Sample No. 14410-H.)

LIBEL FILED: October 4, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of August 16 and 31, 1945, by the Lauhoff Grain Co., from Danville, Ill.

PRODUCT: 550 80-pound bags of brewers flakes at Cleveland, Ohio.

LABEL, IN PART: "Silver Flake Frumentum."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of moths, beetles, larvae, and insect fragments.

DISPOSITION: October 9, 1945. The Standard Brewing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured and converted into animal feed, under the supervision of the Food and Drug Administration.

10553. Adulteration of brewers flakes. U. S. v. 450 * * *. (F. D. C. No. 17708. Sample No. 14408-H.)

LIBEL FILED: October 4, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 9 and 22, 1945, by the Decatur Milling Co., from Decatur, Ill.

PRODUCT: 450 80-pound bags of brewers flakes at Cleveland, Ohio.

LABEL, IN PART: "Cerealine."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, moths, and insect fragments.

DISPOSITION: October 9, 1945. The Standard Brewing Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured and converted into animal feed, under the supervision of the Food and Drug Administration.

10554. Adulteration of brewers flakes. U. S. v. 331 and 60 Bags * * *. Default decrees of condemnation. Portion of product ordered sold for use as animal feed; remainder ordered destroyed. (F. D. C. Nos. 17344, 17624. Sample Nos. 12427-H, 13471-H.)

LIBELS FILED: September 10 and October 1, 1945, District of Massachusetts and Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about June 20 and July 23, 1945, by the Charles A. Krause Milling Co., from Milwaukee, Wis.

*See also Nos. 10529, 10530.