

**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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 13, 1952. Default decree of condemnation and destruction.

**19409. Adulteration of self-rising flour. U. S. v. 67 Bags, etc. (F. D. C. No. 33531. Sample Nos. 2321-L, 2322-L.)**

**LIBEL FILED:** August 21, 1952, Southern District of Georgia.

**ALLEGED SHIPMENT:** On or about October 3, 1951, and April 22, 1952, from Chattanooga, Tenn.

**PRODUCT:** 106 25-pound bags and 79 10-pound bags of self-rising flour at Dublin, Ga.

**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. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 7, 1952. Default decree of condemnation. The court ordered that the product be destroyed or be delivered to a charitable institution, for use as animal feed.

#### MACARONI AND NOODLE PRODUCTS

**19410. Adulteration and misbranding of macaroni and spaghetti. U. S. v. 38 Cases, etc. (F. D. C. No. 33458. Sample Nos. 13536-L, 13537-L.)**

**LIBEL FILED:** July 10, 1952, District of Utah.

**ALLEGED SHIPMENT:** On or about April 10, 1952, by Ravarino & Freschi, Inc., from St. Louis, Mo.

**PRODUCT:** 38 cases, each containing 24 1-pound packages, of macaroni, and 88 cases, each containing 24 1-pound packages, of spaghetti at Salt Lake City, Utah.

**LABEL, IN PART:** "R-F Macaroni [or "Spaghetti"] One Pound Egg Product Contains 5½% Egg Solids."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, egg yolk, had been in part omitted from the articles.

Misbranding, Section 403 (a), the label statement "Contains 5½% Egg Solids" was false and misleading since the articles contained less than 5½ percent of egg yolk solids; and Section 403 (g) (1), the articles purported to be and were represented as noodle products, but they failed to conform to the definition and standard of identity for such products since the regulations require that the total solids of finished noodle products contain not less than 5½ percent by weight of the solids of egg or egg yolk, whereas the total solids of the articles contained less than 5½ percent by weight of the solids of egg yolk.

**DISPOSITION:** September 11, 1952. Ravarino & Freschi, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond, conditioned that they be relabeled, under the supervision of the Food and Drug Administration.