

CHARGE: 402 (a) (3)—contained insects; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 12-19-55. Default—destruction.

23058. Flour and egg noodles. (F. D. C. No. 38540. S. Nos. 30-219/20 M, 30-225 M.)

INFORMATION FILED: 11-7-55, E. Dist. Ill., against Alvin H. Burns, t/a Burns Wholesale Grocery Co., Sparta, Ill.

ALLEGED VIOLATION: Between 2-11-55 and 7-11-55, while quantities of flour and egg noodles were being held for sale after shipment in interstate commerce, the defendant caused the articles to be placed in a building that was accessible to insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

CHARGE: 402 (a) (3)—contained beetles and larvae; and 402 (a) (4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-23-56. \$300 fine, plus costs.

#### MACARONI AND NOODLE PRODUCTS\*

23059. Macaroni product. (F. D. C. No. 38856. S. No. 21-314 M.)

QUANTITY: 23 cases, 24 16-oz. bags each, at Cushing, Okla.

SHIPPED: Between 9-8-55 and 1-12-56, from Wichita, Kans.

LIBELED: 2-21-56, W. Dist. Okla.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 4-13-56. Default—destruction.

23060. Egg noodles. (F. D. C. No. 38381. S. No. 26-881 M.)

QUANTITY: 29 cases, 24 pkgs. each, at San Antonio, Tex.

SHIPPED: 9-13-55, from St. Louis, Mo., by V. Viviano & Bros. Macaroni Mfg. Co., Inc.

LABEL IN PART: (Pkg.) "Net Wt. 8 Oz. Viviano \* \* \* Enriched Dumplings Pure Egg Noodle."

LIBELED: 10-26-55, W. Dist. Tex.

CHARGE: 402 (a) (3)—contained insects when shipped.

DISPOSITION: 1-31-56. Default—destruction.

23061. Egg noodles, bread sticks, egg alphabets or egg barley, and mostaccioli. (F. D. C. No. 38870. S. Nos. 19-140 M, 19-168/9 M, 34-926 M, 34-928 M.)

QUANTITY: 5 cases, 12 12-oz. pkgs. each, of egg noodles; 15 cases, 24 3½ oz. pkgs. each, and 3 cases, 24 18-oz. pkgs. each, of bread sticks; 26 cases, 12 8-oz. boxes each, of egg alphabets or egg barley; and 12 20-lb. cartons of mostaccioli at Cleveland, Ohio.

SHIPPED: Between 6-29-53 and 6-14-55, from Carnegie, Pa.

LIBELED: 12-21-55, N. Dist. Ohio.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 1-26-56. Default—destruction.

\*See also Nos. 23058, 23069.