

yolk, the minimum permitted by the definition and standard of identity for noodles.

DISPOSITION: The American Beauty Macaroni Co., claimant, filed an answer in each case, denying that the article was adulterated or misbranded as alleged. Pursuant to a stipulation entered into between counsel for the claimant and the United States attorneys, an order was entered on 11-14-52 transferring the case brought in the Eastern District of Michigan to the Southern District of Illinois for the purpose of consolidation with the Illinois case. Thereafter, interrogatories served upon the claimant by the Government were answered.

The claimant having consented, the court entered an order on 10-30-53 condemning the article and ordering that it be delivered to charitable institutions. It was found that since the 136-case lot, which had been in the possession of the marshal after seizure, had been inadvertently destroyed, the decree was amended on 3-10-54 to delete the order of delivery for that lot.

MISCELLANEOUS CEREALS

23410. Unpopped popcorn. (F. D. C. No. 39300. S. No. 35-177 M.)

QUANTITY: 28 cases, 24 1-lb. bags each, at Somerset, Ky.

SHIPPED: 9-1-55, from Muncie, Ind.

LIBELED: 7-13-56, E. Dist. Ky.

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

DISPOSITION: 9-14-56. Default—sold for conversion to animal feed.

23411. Wheat. (F. D. C. No. 39179. S. No. 40-999 M.)

QUANTITY: 93,600 lbs. at Minneapolis, Minn.

SHIPPED: 7-13-56, from Regan, N. Dak., by Regan Farmers Union Co-Op.

LIBELED: 8-1-56, Dist. Minn.

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

DISPOSITION: 8-16-56. Consent—claimed by Farmers Union Grain Terminal Association, St. Paul, Minn. Segregated; 8,050 lbs. to be disposed of for use as animal feed.

CONFECTIONERY

23412. Candy. (Inj. No. 9.)

COMPLAINT FOR INJUNCTION FILED: 2-25-41, against Mrs. I. G. Edwards, t/a Sunshine Peanut Butter Co., Atlanta, Ga.

CHARGE: The complaint alleged that the defendant had been manufacturing, packing, and shipping candy under insanitary conditions whereby the candy may have become contaminated with filth; that such food consisted in whole or in part of a filthy, putrid, and decomposed substance which was unfit for food and adulterated within the meaning of 402 (a) (3) and (4); and that such food was being offered for interstate shipment at various intervals and was being shipped in interstate commerce.

The complaint alleged further that various inspections made by Food and Drug inspectors revealed the existence of insanitary conditions and that the defendant was warned to remedy the defects existing in her method of operation and not to ship adulterated candy in interstate commerce in violation of the Federal Food, Drug, and Cosmetic Act; that despite such warnings, the defendant had failed to remedy such defects and was continuously manu-