

to be held in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

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

PLEA: Guilty.

DISPOSITION: 10-21-59. Corporation fined \$500; individual placed on probation for 1 year.

26011. Flour. (F.D.C. No. 43477. S. Nos. 65-233/4 P.)

QUANTITY: 79 50-lb. bags and 70 25-lb. bags at Rock Springs, Wyo., in possession of Wyoming Distributing Co.

SHIPPED: 6-30-59 and 8-28-59, from Logan, Utah.

LIBELED: 10-15-59, Dist. Wyo.

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

DISPOSITION: 11-30-59. Default—destruction.

26012. Flour. (F.D.C. No. 43783. S. No. 53-983 P.)

QUANTITY: 219 25-lb. bags at Hope, Ark., in possession of Stephens Grocer Co.

SHIPPED: 8-7-59 and 9-12-59, from Buhler, Kans.

LIBELED: 10-28-59, W. Dist. Ark.

CHARGE: 402(a)(3)—contained rodent excreta pellets and rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 12-12-59. Default—delivered to a charitable institution for use as animal feed.

26013. Flour. (F.D.C. No. 43657. S. No. 73-004 P.)

QUANTITY: 26 100-lb. bags at Kearny, N.J., in possession of Lusitania Baking Co.

SHIPPED: 10-3-59, from Buffalo, N.Y.

LIBELED: 11-9-59, Dist. N.J.

CHARGE: 402(a)(3)—contained rodent urine and rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 12-14-59. Default—destruction.

26014. Flour. (F.D.C. No. 43610. S. No. 60-190 P.)

QUANTITY: 74 bales, 5 10-lb. bags each, at Morgantown, W. Va.

SHIPPED: 8-1-59, from Detroit, Mich.

LIBELED: 10-20-59, N. Dist. W. Va.

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

DISPOSITION: 12-18-59. Default—delivered to a charitable institution for use as animal feed.

MACARONI AND NOODLE PRODUCTS

26015. Macaroni. (F.D.C. No. 40453. S. Nos. 53-443 M, 53-445 M.)

INFORMATION FILED: 12-19-57, S. Dist. Fla., against Delmonico Foods, Inc., of Florida, a corporation, Tampa, Fla.

SHIPPED: 2-26-57, from Florida to Alabama.

LABEL IN PART: (Pkg.) "ENRICHED DELMONICO MACARONI [or "ELBOW MACARONI"] NET WEIGHT 6 OUNCES DELMONICO FOODS, INC., OF FLORIDA TAMPA, FLORIDA."

CHARGE: 402(a)(3)—contained insect parts and rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-22-59. \$1,000 fine.

26016. Egg noodles, macaroni, and spaghetti products. (F.D.C. No. 42409. S. Nos. 13-074 P, 13-081/3 P.)

INDICTMENT RETURNED: 4-21-59, N. Dist. Ill., against the Chicago Macaroni & Food Products Co., Inc., Chicago, Ill., and Joseph S. Matalone, president, and Reno Alghini, plant superintendent.

SHIPPED: Between 1-10-58 and 1-27-58, from Illinois to Michigan.

LABEL IN PART: "Net Wt. Full Pound Enriched CYRILLA Brand EGG NOODLES Made By Chicago Macaroni & Food Products Co. Chicago, Ill."; "Enriched CYRILLA Brand ELBOW Net Weight One Pound Manufactured by Chicago Macaroni & Food Products Co. Chicago, Illinois Enriched CYRILLA Macaroni Products"; Enriched CYRILLA Brand MOSTACCIOLI LISCI Net Weight One Pound Manufactured by Chicago Macaroni & Food Products Chicago, Illinois Enriched CYRILLA Macaroni Products"; and "Enriched CYRILLA Brand SPAGHETTI BUCATI Full Pound—16 oz. Net Weight Mfg. By Chicago Macaroni & Food Products Co.—Chicago, Illinois."

CHARGE: 402(a)(3)—the egg noodles contained insect fragments; 402(a)(4)—they had been prepared and packed under insanitary conditions; and 403(e)(2)—the articles, other than the egg noodles, failed to bear a label containing an accurate statement of the quantity of contents. The packages of the articles contained less than 1 lb. as represented.

PLEA: Guilty.

DISPOSITION: 11-6-59. \$1,000 fine, plus costs, against the defendants jointly.

26017. Macaroni and spaghetti products. (F.D.C. No. 43090. S. Nos. 9-993 P, 24-667 P, 32-553/4 P.)

INFORMATION FILED: 8-28-59, Dist. Mass., against Musolino LoConte Co., a corporation, Boston, Mass.

SHIPPED: Between 8-25-58 and 10-8-58, from Massachusetts to New York and California.

LABEL IN PART: (Pkg.) "SAN MARTIN 1 LB. NET WT. ASPARAGUS MACARONI DISTRIBUTED BY SAN MARTIN FOODS CO. BOSTON, MASS., and "SAN MARTIN 1 LB. NET ARTICHOKE SPAGHETTINI [or "ELBOWS" or "SPAGHETTI"] NO SALT ADDED DISTRIBUTED BY SAN MARTIN FOODS CO. BOSTON, MASS."

CHARGE: 402(a)(3)—contained insects and insect parts; 402(a)(4)—prepared under insanitary conditions; and 403(j)—the articles, other than the macaroni, purported to be and were represented as foods for special dietary use by reason of their use as a means of regulating the intake of sodium in dietary management, and the labels of the articles failed to bear, as required by regulations, a statement of the number of milligrams of sodium per 100 grams of each article and a statement of the number of milligrams of sodium in an average serving of each article.