

that the label statements "Net weight 8 oz." and "Net 8 oz." were false and misleading as applied to articles that were short-weight and in that they were in package form and did not bear labels containing an accurate statement of the quantity of the contents.

On March 4, 1943, no claimant having appeared, judgment of condemnation was entered and the products were ordered distributed to charitable institutions.

**4732. Adulteration of ice cream cones. U. S. v. 8 Cartons of Ice Cream Cones (and 3 additional seizure actions against ice cream cones.) Default decrees of condemnation and destruction. (F. D. C. Nos. 9198, 9199, 9394, 9395. Sample Nos. 9930-F, 9931-F, 28465-F, 28467-F, 28685-F, 28686-F.)**

This product contained rodent hairs, insect fragments, hair fragments resembling rodent or cat hairs, larvae, and weevils.

Between January 18 and February 20, 1943, the United States attorneys for the Southern District of Florida, the Eastern District of Louisiana, and the Middle District of North Carolina filed libels against 30 cases of ice cream cones at Jacksonville, Fla., 493 cases of ice cream cones at New Orleans, La., and 50 cases of ice cream cones at Burlington, N. C., alleging that the article had been shipped in interstate commerce within the period from on or about December 15, 1942, to January 22, 1943, by the Maryland Baking Co. from Atlanta, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "Flavorized Flare Tops Drippless Cake Cones," "Duble Heder Ice Cream Cones," or "Torch Cup Cake Cones."

Between March 4 and April 9, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**4733. Adulteration of ice cream cones. U. S. v. 10 Cans of Ice Cream Cones. Default decree of condemnation and destruction. (F. D. C. No. 9257. Sample No. 28289-F.)**

This product contained insect fragments, whole insect larvae, and rodent hair fragments.

On January 27, 1943, the United States attorney for the Middle District of Alabama filed a libel against 10 cans, each containing 333 ice cream cones, at Dothan, Ala., alleging that the article had been shipped in interstate commerce on or about April 30 and October 18, 1942, by the Purity Cone Co. from Jacksonville, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

On March 20, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4734. Misbranding of graham crackers. U. S. v. 82 Cartons of Grahams. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 9224. Sample No. 6352-F.)**

This product was short of the declared weight.

On January 20, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 82 cartons, each containing 6 packages, of graham crackers at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about December 9, 1942, by Thomas and Clarke, Inc., from Peoria, Ill.; and charging that it was misbranded in that the statement "Net Weight Two Pounds" was false and misleading as applied to an article that was short-weight, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. The article was labeled in part: (Packages) "Evergood Graham \* \* \* Net Weight Two Pounds."

On February 12, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**MISCELLANEOUS CEREAL PRODUCTS**

**4735. Adulteration of egg noodles. U. S. v. Antonio J. Pereira and Joseph Rodrigues (Luso-American Macaroni Manufacturing Company). Pleas of guilty. Fines, \$100. (F. D. C. No. 8835. Sample Nos. 19459-F, 19900-F.)**

On April 30, 1943, the United States attorney for the District of Massachusetts filed an information against Antonio J. Pereira and Joseph Rodrigues, trading as co-partners under the firm name of Luso-American Macaroni Manufacturing Co. at Fall River, Mass., alleging shipment on or about October 5 and