

CEREALS AND CEREAL PRODUCTS

ALIMENTARY PASTES*

6605. Adulteration of egg noodles. U. S. v. 17 Cases and 17 Cases of Egg Noodles. Default decree of forfeiture and destruction. (F. D. C. No. 12967. Sample Nos. 68052-F, 68053-F.)

LIBEL FILED: July 19, 1944, Southern District of Indiana.

ALLEGED SHIPMENT: On or about February 14 and April 25, 1944, by the Mercurio Brothers Spaghetti Manufacturing Co., from St. Louis, Mo.

PRODUCT: Egg noodles: 17 cases of medium and 17 cases of fine, each case containing 12 8-ounce packages, at Evansville, Ind.

LABEL, IN PART: (Packages) "A. B. C. Brand Pure Egg Noodles * * * Packed For A. Bromm & Company, Evansville, Ind."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, cast skins, and insect excreta.

DISPOSITION: September 12, 1944. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed. Destruction was effected by feeding the product to hogs.

6606. Adulteration of egg noodles. U. S. v. 12 Boxes of Egg Noodles. Default decree of forfeiture and destruction. (F. D. C. No. 12966. Sample No. 68051-F.)

LIBEL FILED: July 19, 1944, Southern District of Indiana.

ALLEGED SHIPMENT: On or about March 14, 1944, by the Michigan Macaroni Manufacturing Co., from Detroit, Mich.

PRODUCT: Egg noodles: 12 boxes, each containing 12 12-ounce packages, at Evansville, Ind.

LABEL IN PART: (Packages) "Bakers Twist Michigan Fine Quality Pure Egg Noodles."

VIOLATION CHARGED: Adulteration, Section 402(a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, cast skins, and insect excreta.

DISPOSITION: September 12, 1944. No claimant having appeared, judgment of forfeiture was entered, ordering destruction of the product.

6607. Adulteration of egg noodles. U. S. v. 31 Cases and 87 Cases of Egg Noodles. Decree of condemnation and destruction. (F. D. C. No. 12120. Sample No. 43797-F.)

LIBEL FILED: On or about May 5, 1944, District of Kansas.

ALLEGED SHIPMENT: On or about January 5, 1944, by the Midwest Macaroni Mfg. Co., from Kansas City, Mo.

PRODUCT: Egg noodles: 31 cases, each containing 12 1-pound packages, and 87 cases, each containing 24 8-ounce packages, at Topeka, Kans.

LABEL, IN PART: (Packages) "Midwest Brand Midwest Pure Egg Noodles."

VIOLATION CHARGED: Adulteration, Section 402(a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments.

DISPOSITION: April 6, 1944. The owner of the product having admitted the adulteration, judgment of condemnation was entered and the product was ordered destroyed. Destruction of the product was effected by conversion into hog feed.

6608. Adulteration of egg noodles. U. S. v. 69 Boxes, 76 Boxes, and 192 Cases of Egg Noodles. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11851. Sample Nos. 48175-F to 48178-F, incl., 48180-F.)

LIBEL FILED: February 21, 1944, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about September 10 and December 21, 1943, by the St. Louis Macaroni Manufacturing Co., Inc., from St. Louis, Mo.

PRODUCT: 192 cases, each containing 24 8-ounce packages, of egg noodles, and 145 10-pound boxes of egg noodles at Nashville, Tenn.

LABEL, IN PART: (Packages) "St. Louis Brand * * * Egg Noodles."

*See also No. 6783.

VIOLATIONS CHARGED: Adulteration, Section 402(a)(3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, fragments resembling rodent hairs, and insect fragments; and Section 402 (a)(4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 6, 1944. The St. Louis Macaroni Manufacturing Co., Inc., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered delivered to the claimant under bond, to be used for hog and chicken feed under the supervision of the Food and Drug Administration.

6609. Adulteration and misbranding of egg noodles. U. S. v. 30 Cartons and 27 Cartons of Egg Noodles (and 1 other seizure action against egg noodles). Default decrees of condemnation and destruction. (F. D. C. Nos. 12134, 12155. Sample Nos. 51197-F, 51198-F, 76019-F.)

LIBELS FILED: On or about April 3 and 7, 1944, Southern District of New York and District of Delaware.

ALLEGED SHIPMENT: From on or about January 28 to February 10, 1944, by the Kurtz Brothers Corporation, Bridgeport, Pa.

PRODUCT: Egg noodles: 57 10-pound cartons at New York, N. Y., and 40 cases, each containing 12 1-pound bags, at Wilmington, Del.

Analysis showed that the article contained, in the Wilmington lot, less than 2 percent and, in the New York lot, less than 1.5 percent of egg solids. It is the general trade and consumer understanding that egg noodles shall contain not less than 5.5 percent of egg solids.

LABEL, IN PART: "Pasquelina Brand Dist. By B. Mandel Pure Egg Folded Noodles," or "Kurtz King Brand Pure Egg Noodles."

VIOLATIONS CHARGED: Adulteration, Section 402(b)(1), a valuable constituent, egg, had been in whole or in part omitted from the article; and, Section 402(b)(2), a substance, noodles, deficient in egg solids, had been substituted in whole or in part for egg noodles, which the article was represented to be.

Misbranding, Section 403(a), the statement "Pure Egg Noodles" was false and misleading as applied to the article, which was deficient in egg solids.

DISPOSITION: April 24 and 28, 1944. No claimant having appeared, judgments of condemnation were entered and the article was ordered destroyed.

6610. Adulteration of macaroni. U. S. v. 197 Cartons and 733 Cases of Elbow Macaroni. Default decree of condemnation. Product ordered delivered to charitable institutions, for denaturing and use as animal feed. (F. D. C. No. 11909. Sample Nos. 61099-F, 61100-F, 61441-F.)

LIBEL FILED: February 28, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about April 6, 1943, by the Kentucky Macaroni Co., Inc., from Louisville, Ky.

PRODUCT: 197 cartons, each containing 10 pounds, of macaroni, and 733 cases, each containing 24 6-ounce cartons, of macaroni at San Antonio, Tex.

LABEL, IN PART: (Carton) "Rex [or "Jay-Tee Brand"] Elbow Macaroni."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, insect excreta, rodent excreta, and rodent hairs.

DISPOSITION: April 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions, for denaturing and use as animal feed.

6611. Adulteration of macaroni and spaghetti. U. S. v. 9 Boxes of Macaroni (and 1 other seizure action against macaroni and spaghetti). Default decrees of condemnation and destruction. (F. D. C. Nos. 12750, 13508. Sample Nos. 68019-F, 68021-F, 68022-F, 75576-F.)

LIBELS FILED: June 27 and September 5, 1944, Southern District and Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 17 and June 16, 1944, by the Viviano Brothers Macaroni Co., Detroit, Mich.

PRODUCT: 9 20-pound boxes of macaroni at Youngstown, Ohio, and 43 cases, each containing 24 16-ounce cellophane bags, of spaghetti, 6 boxes, each containing 20 pounds, of spaghetti, and 2 boxes, each containing 20 pounds, of macaroni at Columbus, Ohio.