

sanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the article contained rodent excreta and urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), the product had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Rath Transportation Co. to be denatured and converted into hog feed, under the supervision of the Food and Drug Administration.

9824. Adulteration and misbranding of enriched flour. U. S. v. 400 Bags of Enriched Flour. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19710. Sample No. 3695-H.)

LIBEL FILED: April 29, 1946, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about December 15, 1945, by the Lexington Mill and Elevator Co., Lexington, Nebr.

PRODUCT: 400 50-pound bags of enriched flour at Fredericksburg, Va.

LABEL, IN PART: "Bleached Enriched Flour * * * Lexington Cream."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁) and iron, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched flour, since it contained less than the minimum of 2 milligrams of thiamine and 13 milligrams of iron required by the standard.

DISPOSITION: July 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

MACARONI AND NOODLE PRODUCTS

9825. Adulteration of macaroni. U. S. v. Mission Macaroni Co., Inc. Plea of nolo contendere. Fine, \$2,000. (F. D. C. No. 16611. Sample Nos. 28758-H to 28762-H, incl.)

INFORMATION FILED: December 29, 1945, Western District of Washington, against the Mission Macaroni Co., Inc., Seattle, Wash.

ALLEGED SHIPMENT: On or about July 19, 1945, from the State of Washington into the States of Idaho and Oregon.

LABEL, IN PART: "Mission Brand Salad [or "Elbow"] Macaroni," or "Best Bet Elbow Macaroni."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worm and insect fragments, rat or mouse hairs, and a cat hair; and, Section 402 (a) (4), it had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 16, 1946. A plea of nolo contendere having been entered, the court imposed a fine of \$400 on each of the five counts of the information.

9826. Adulteration of noodle dinner with chicken. U. S. v. 36 Cases of Noodle Dinner with Chicken (and 2 other seizure actions against noodle dinner with chicken). Default decrees of condemnation and destruction. (F. D. C. Nos. 20324 to 20326, incl. Sample Nos. 52943-H, 59878-H, 59879-H.)

LIBELS FILED: June 12, 13, and 14, 1946, Western District of Pennsylvania and Southern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of February 2 and March 14, 1946, by the American Poultry Co., Detroit, Mich.

PRODUCT: Noodle dinner with chicken. 36 cases at Dayton, Ohio, 7 cases at Steubenville, Ohio, and 15 cases at Pittsburgh, Pa. Each case contained 24 1-pound jars of the product.

LABEL, IN PART: "Tested and Approved Noodle Dinner with Chicken."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.