

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (4), the article had been prepared and packaged under insanitary conditions whereby it had become contaminated with filth. (Samples were found to contain insect filth.)

**DISPOSITION:** August 1, 1947. Default decree of condemnation and destruction.

**12228. Adulteration of spaghetti. U. S. v. 49 Cases \* \* \*. (F. D. C. No. 23079. Sample No. 75335-H.)**

**LIBEL FILED:** June 18, 1947, District of Hawaii.

**ALLEGED SHIPMENT:** On or about April 17, 1947, by Theo H. Davies and Co., Ltd., from San Francisco, Calif.

**PRODUCT:** 49 cases, each containing 24 8-ounce packages, of spaghetti at Hilo, T. H.

**LABEL, IN PART:** "Royal Semolina Spaghetti."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (4), the article had been prepared and packaged under insanitary conditions whereby it had become contaminated with filth. (Samples examined were found to contain insect fragments.)

**DISPOSITION:** August 1, 1947. Default decree of condemnation and destruction.

**12229. Misbranding of spaghetti. U. S. v. 7 Cases \* \* \*. (F. D. C. No. 22773. Sample No. 60977-H.)**

**LIBEL FILED:** March 26, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 28, 1947, by the Cumberland Macaroni Manufacturing Co., from Cumberland, Md.

**PRODUCT:** 7 cases, each containing 20 1-pound packages, of spaghetti at Johnstown, Pa.

**LABEL, IN PART:** "Cumberland's Alpine Eagle Brand Spaghetti."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since the spaghetti occupied only about 67 percent of the volume of the package.

**DISPOSITION:** April 30, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### MISCELLANEOUS CEREAL PRODUCTS

**12230. Adulteration of brewers grits and brewers flakes. U. S. v. 259 Bags, etc. (and 1 other seizure action). (F. D. C. Nos. 23172, 23179. Sample Nos. 66219-H, 66220-H, 65999-H.)**

**LIBELS FILED:** June 4 and 6, 1947, District of Delaware and Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 23 and May 1, 1947, by Patent Cereals Co., from Geneva, N. Y.

**PRODUCT:** 259 100-pound bags of brewers grits and 112 80-pound bags of brewers flakes at Wilmington, Del.; 53,900 pounds of brewers grits at Reading, Pa.

**LABEL, IN PART:** (Portion) "Geneva Grits [or "Flakes"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

**DISPOSITION:** June 6 and July 8, 1947. The Patent Cereals Co., claimant for the Reading lot and the consignee for the Wilmington lot, having consented to the entry of decrees, judgments of condemnation were entered. The Reading lot was ordered released to the claimant to be denatured and sold for animal feed, and the Wilmington lot was ordered delivered to a public institution to be disposed of for the same purpose.

**12231. Adulteration of popcorn. U. S. v. 863 Bags \* \* \*. (F. D. C. No. 22775. Sample Nos. 39176-H to 39184-H, incl.)**

**LIBEL FILED:** March 28, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** Between the approximate dates of August 1 and September 3, 1946, by E. F. Schroer, from St. Marys, Ohio.