

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its fire- and water-damage which had caused it to become caked.

DISPOSITION: December 14, 1951. The American Flour Co., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be denatured and disposed of for tannery purposes or animal feed.

18407. Adulteration of corn flour and hominy grits. U. S. v. 17 Bags, etc.
(F. D. C. No. 32003. Sample Nos. 9764-L, 9765-L.)

LIBEL FILED: November 13, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 6, July 12, and August 3, 1951, from Milwaukee, Wis.

PRODUCT: 17 100-pound bags of corn flour and 35 100-pound bags of hominy grits at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 20, 1951. The Chas. A. Krause Milling Co., Milwaukee, Wis., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond, conditioned that they be converted into stock feed, under the supervision of the Food and Drug Administration.

MACARONI AND NOODLE PRODUCTS

18408. Misbranding of macaroni and spaghetti. U. S. v. 24 Cases * * *.
(F. D. C. No. 24882. Sample Nos. 12732-K, 12733-K, 12957-K, 12959-K.)

LIBEL FILED: June 22, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 23 and May 10, 1948, by Buitoni Products, Inc., from New York, N. Y.

PRODUCT: 24 cases, each containing 48 8-ounce packages, of macaroni and spaghetti at Philadelphia, Pa.

LABEL, IN PART: "Buitoni 20% Protein Spaghetti" and "Buitoni 20% Gluten Macaroni * * * Small Macaroni Ribbons [or "Buitoni 20% Gluten Spaghetti"] with added Wheat Germ, Vitamin B₁ and Iron."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the macaroni and spaghetti which were labeled in part "with added Wheat Germ, Vitamin B₁ and Iron" purported to be and were represented as enriched macaroni products, foods for which definitions and standards of identity have been prescribed, and the articles failed to conform to the definitions and standards. The definitions and standards provide that when the optional ingredient, gum gluten, is added, the quantity is such that the protein derived therefrom, together with the protein derived from semolina, durum flour, farina, flour, or any combination of those used, does not exceed 13 percent of the weight of the finished food. The articles contained as one of their optional ingredi-