

DISPOSITION: 12-19-58. Default—destruction.

25565. Flour and batter mix. (F.D.C. No. 42290. S. Nos. 15-544 P, 15-545 P.)

QUANTITY: 9 100-lb. bags, and 4 cases, 10 5-lb. ctns. each, at Dayton, Ohio, in possession of Peerless Food Co.

SHIPPED: 9-5-58 and 9-19-58, from Chicago, Ill., and St. Louis, Mo.

LIBELED: 11-18-58, S. Dist. Ohio; libel amended on or about 11-24-58.

CHARGE: 402(a)(3)—the batter mix contained insects; and 402(a)(4)—the batter mix and flour were held under insanitary conditions.

DISPOSITION: 12-18-58. Default—destruction.

25566. Flour. (F.D.C. No. 42350. S. No. 10-128 P.)

QUANTITY: 13 100-lb. bags and 1 50-lb. drum at Rochester, N.Y.

SHIPPED: 2-24-58, from New Ulm, Minn.

LIBELED: 11-5-58, W. Dist. N.Y.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 12-24-58. Default—destruction.

MACARONI AND NOODLE PRODUCTS*

25567. Egg noodles and flour. (F.D.C. No. 41186. S. Nos. 55-387 M, 65-115 M.)

INFORMATION FILED: 5-6-58, S. Dist. Ohio, against Baker Bros., a partnership, Zanesville, Ohio, and Fred W. Baker, partner.

ALLEGED VIOLATION: Between 7-3-57 and 11-5-57, while quantities of egg noodles and flour were being held for sale after shipment in interstate commerce, the defendants caused the articles to be placed in a building that was accessible to insects, mice, and rats, and to be exposed to contamination by insects, mice, and rats, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—the egg noodles contained insects and the flour contained rodent excreta and urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 8-19-58. Fine of \$500 against each defendant.

25568. Egg noodles, dried black-eyed peas, and oleomargarine. (F.D.C. No. 41997. S. Nos. 16-965/7 P.)

QUANTITY: 13 cases, 12 12-oz. pkgs. each, of egg noodles, 2 100-lb. bags of dried black-eyed peas, and 4 cases, 30 1-lb. pkgs. each, of oleomargarine, at Cincinnati, Ohio.

SHIPPED: Between 9-24-57 and 6-13-58 (noodles), from Chicago, Ill.; 6-2-58 (peas), from Denver, Colo.; and (oleomargarine), sold 1-21-58, at Cincinnati, Ohio.

LIBELED: 8-21-58, S. Dist. Ohio.

CHARGE: 402(a)(3)—noodles and black-eyed peas contained insects, insect fragments, and insect excreta while held for sale; the oleomargarine was sold in the same state in which it was produced and, while held for further sale, it contained moldy oleomargarine.

*See also No. 25582.