

accessible to insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-15-63. Partnership and individual fined \$250 each.

28716. Egg noodles. (F.D.C. No. 46952. S. Nos. 2-370/1 T.)

QUANTITY: 2,601 cases, 4 5-lb. boxes each, at Forest Park, Ga.

SHIPPED: 2-1-61, from Brooklyn, N.Y., by Paramount Macaroni Manufacturing Co., Inc.

LABEL IN PART: (Box) "Noodles, Egg * * * Paramount Macaroni Mfg. Co. Inc., Brooklyn, N.Y."

LIBELED: 2-1-62, N. Dist. Ga.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, egg or egg yolk solids, had been in whole or in part omitted from the article; and 403(g)(1)—the article failed to conform to the definition and standard of identity for egg noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk.

DISPOSITION: 3-29-62. Default—the article was ordered destroyed since examination subsequent to seizure disclosed that it contained insects.

28717. Egg noodles. (F.D.C. No. 46956. S. No. 43-346 T.)

QUANTITY: 3,928 cases, 4 5-lb. boxes each, at New Cumberland, Pa.

SHIPPED: Between 5-24-61 and 6-21-61, from Brooklyn, N.Y., by Paramount Macaroni Manufacturing Co., Inc.

LABEL IN PART: (Box) "Noodles, Egg * * * Paramount Macaroni Mfg. Co. Inc., Brooklyn, New York."

RESULTS OF INVESTIGATION: Examination showed that the article failed to conform to the definition and standard of identity for egg noodles in that the total solids of the article contained less than 5.5 percent by weight of solids of egg or egg yolk.

LIBELED: 2-1-62, M. Dist. Pa.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, egg or egg yolk solids, had been in whole or in part omitted from the article; and 403(g)(1)—the article failed to conform to the definition and standard of identity for egg noodles.

DISPOSITION: 5-19-62. Consent—delivered to Government for use as macaroni and not as egg noodles.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

28718. Wheat. (Inj. No. 431.)

COMPLAINT FOR INJUNCTION FILED: 5-4-62, Dist. Wyo., against Tri-County Grain Co., a corporation, Chugwater and Slater, Wyo., and Harold Hellbaum, secretary-treasurer.

CHARGE: The complaint alleged that the defendants were engaged in operating a grain storage facility at Chugwater, Wyo., consisting of an elevator and including 8 steel tanks and 2 corrugated steel buildings, and a grain storage