

of foods prior to their distribution, and that sanitary conditions were in general satisfactory. Consequently, on 9-27-61, the temporary order was vacated and the case was dismissed.

29316. Noodle products. (F.D.C. No. 48538. S. Nos. 71-134/5 T.)

INDICTMENT RETURNED: 6-11-63, E. Dist. Okla., against Lee Boerstler and C. Ross Boerstler, Henryetta, Okla.

ALLEGED VIOLATION: Between 3-1-62 and 8-31-62, while quantities of macaroni and egg noodles were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building that was accessible to insects and caused the articles to be exposed to contamination by insects, thereby causing the food to become adulterated.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 8-12-63. \$1,000 fine against each defendant.

29317. Frozen noodles. (F.D.C. No. 49340. S. No. 28-474 X.)

QUANTITY: 1,383 cases, each containing 12 8-oz. pkgs., at Kansas City, Kans.

SHIPPED: 7-29-63, from Clive, Iowa, by Reames Home Style Frozen Foods.

LABEL IN PART: (Pkg.) "Reames Home Style Frozen Egg Noodles * * * Four Servings * * * Reames Frozen Foods Clive, Iowa."

LIBELED: 9-18-63, Dist. Kans.

CHARGE: 402(a)(3)—contained *E. coli*, coagulase positive staphylococci, and a high coliform count; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 12-13-63. Default—destruction.

29318. Noodles, macaroni and spaghetti. (F.D.C. No. 49337. S. Nos. 31-426/33 X, 31-435 X.)

QUANTITY: 5 20-lb. cases of shell macaroni; 6 10-lb. cases home style macaroni; 7 20-lb. cases of cut macaroni; 3 10-lb. cases of egg noodles; 2 15-lb. cases of elbow macaroni; 6 10-lb. cases of egg dumplings; 3 10-lb. cases of lasagne; 32 10-lb. cases of medium egg noodles; and 15 10-lb. cases of wide egg noodles; at Phoenix, Ariz.

SHIPPED: Between 12-6-62 and 8-14-63, from Lincoln, Nebr.

LIBELED: 9-12-63, Dist. Ariz.

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

DISPOSITION: 10-31-63. Default—destruction.

29319. Macaroni products. (F.D.C. No. 49306. S. Nos. 22-517/22 X.)

QUANTITY: 14 20-lb. ctns. of spaghettini and 57 20-lb. ctns. of linguine, at Denver, Colo.

SHIPPED: Between 7-1-63 and 8-9-63, from St. Louis, Mo., by Ravarino & Freschi, Inc.

LABEL IN PART: (Ctn.) "R-F * * * La Terminese Enriched Spaghettini * * * Ravarino & Freschi, Inc. St. Louis, Mo.," and "R-F * * * La Terminese Enriched Linguine * * * Ravarino & Freschi, Inc. St. Louis, Mo."