

- 2149. Adulteration of corn meal. U. S. v. 53 Sacks of Corn Meal. Consent decree of condemnation. Product ordered released under bond to be denatured by adding lamp black thereto and not to be disposed of contrary to law.** (F. D. C. No. 5138. Sample No. 49425-E.)

This product contained rodent hairs and excreta and insect hairs and larvae.

On July 12, 1941, the United States attorney for the Southern District of Texas filed a libel against 53 sacks of corn meal at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about April 29, 1941, by Staley Milling Co. from Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Tag) "White Deer Cream Meal."

On August 21, 1941, Park Benjamin, II, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be denatured by adding lamp black to it so that it could not be disposed of for human consumption.

MISCELLANEOUS

- 2150. Adulteration of rice. U. S. v. 50 Sacks of Rice. Default decree of destruction.** (F. D. C. No. 4732. Sample No. 43420-E.)

Examination showed that this product contained rodent excreta. The sacks in which it was packed had been torn and gnawed by rats and contained an accumulation of rat pellets and bird droppings. The contamination occurred in the warehouse after shipment.

On or about May 17, 1941, the United States attorney for the Western District of Missouri filed a libel against 50 sacks of rice at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 28, 1941 (correct date apparently was September 13, 1940), by Smith Rice Mill Co. from DeWitt, Ark.; and charging that it was adulterated. It was labeled in part: "Smith Uncoated Rice 100 lbs Net."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On June 27, 1941, no claimant having appeared, judgment was entered ordering that the product be destroyed.

- 2151. Adulteration of spaghetti, macaroni, egg noodles, rolled oats, and mill oats. U. S. v. 69 Cases of Spaghetti, 59 Cases of Macaroni, 95 Cases of Egg Noodles, 52 Cases of Rolled Oats, and 178 Cases of Cream of the Mill Oats. Consent decree of condemnation. Products ordered released under bond for salvaging.** (F. D. C. No. 5171. Sample Nos. 31194-E to 31198-E, incl.)

These products consisted of fire- and water-damaged merchandise. Examination showed that they contained mold.

On July 21, 1941, the United States attorney for the Northern District of Illinois filed a libel against 69 cases of spaghetti, 59 cases of macaroni, 95 cases of egg noodles, 52 cases of rolled oats, and 178 cases of mill oats at Chicago, Ill., alleging that the articles had been shipped in interstate commerce within the period from on or about May 22 to on or about June 13, 1941, by the Underwriters Salvage Co. from Evansville, Ind.; and charging that they were adulterated in that they consisted in whole or in part of filthy and decomposed substances. The articles were labeled in part variously: "Red Box Brand Spaghetti"; "Red Box Brand Macaroni"; "Diamond Island Brand Rolled Oats"; "Diamond Island Brand Cream of the Mill Oats."

On August 24, 1941, the Underwriters Salvage Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the products were ordered released under bond for salvaging the good portions under the supervision of the Food and Drug Administration.

- 2152. Adulteration of canned spaghetti with tomato sauce and cheese. U. S. v. 10 Cases of Spaghetti. Default decree of forfeiture and destruction.** (F. D. C. No. 4952. Sample No. 44859-E.)

Examination showed that the tomato sauce in this product contained excessive mold, indicating the presence of decomposed material.

On June 19, 1941, the United States attorney for the District of Idaho filed a libel against 10 cases, each containing 48 cans, of spaghetti at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about September 25, 1940, by Superior Food Products Manufacturing Co., Inc., from Salt Lake City, Utah; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled