

PRODUCT: 75 100-pound bags of flour at San Francisco, Calif., in possession of Cuneo Brothers. The product was stored under insanitary conditions after shipment. Urine stains were observed on the bags, and examination showed that the article was contaminated with urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 8, 1946. Cuneo Brothers, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into stock feed, under the supervision of the Federal Security Agency.

11531. Adulteration of flour. U. S. v. 262 Bags * * *. (F. D. C. No. 21180. Sample No. 49627-H.)

LIBEL FILED: October 10, 1946, Eastern District of Texas.

ALLEGED SHIPMENT: On or about August 6, 1946, by the Shawnee Milling Co., from Shawnee, Okla.

PRODUCT: 262 25-pound bags of flour at Mineola, Tex.

LABEL, IN PART: "Shawnee's Best Extra Fancy Patent Flour."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and larvae.

DISPOSITION: February 11, 1947. The Mineola Wholesale Grocery Co., Mineola, Tex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into animal feed, under the supervision of the Federal Security Agency.

11532. Adulteration of flour and corn meal. U. S. v. 131 Bags, etc. (F. D. C. No. 20889. Sample Nos. 35576-H, 35577-H.)

LIBEL FILED: September 18, 1946, Western District of Tennessee.

ALLEGED SHIPMENT: On or about August 6 and 19, 1946, by the Shawnee Milling Co., from Shawnee, Okla.

PRODUCT: 95 25-pound bags and 36 50-pound bags of self-rising flour and 567 25-pound bags of corn meal at Memphis, Tenn.

LABEL, IN PART: "Enriched Shawnee's Best Self-Rising Flour," or "Snowdrift Cream Meal."

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 larvae and insect fragments and (corn meal only) of rodent excreta fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: October 16, 1946, The Shawnee Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for denaturing. The corn meal was to be converted into stock feed, and the flour was to be converted for industrial purposes, under the supervision of the Federal Security Agency.

11533. Adulteration and misbranding of enriched pastry flour. U. S. v. The O'Brien Milling Co. Plea of guilty. Fine, \$300. (F. D. C. No. 20928. Sample No. 14251-H.)

INFORMATION FILED: October 23, 1946, Southern District of Ohio, against The O'Brien Milling Co., a corporation, Greenville, Ohio.

ALLEGED SHIPMENT: On or about October 31, 1945, from the State of Ohio into the State of Indiana.

LABEL, IN PART: "O'Brien's Brand Pastry Flour * * * Enriched with Vitamins and Iron."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁, riboflavin, niacin, and iron had been in part omitted.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched flour since it contained in

each pound less than 2 milligrams of thiamine, less than 1.2 milligrams of riboflavin, less than 16 milligrams of niacin, and less than 13 milligrams of iron.

DISPOSITION: February 12, 1947. A plea of guilty having been entered on behalf of the corporation, a fine of \$300 was imposed.

MACARONI AND NOODLE PRODUCTS

11534. Adulteration of macaroni and noodle products. U. S. v. Italian-American Paste Co., Inc. Plea of guilty. Fine, \$500. (F. D. C. No. 20925. Sample Nos. 46510-H to 46514-H, incl., 46518-H, 46519-H.)

INFORMATION FILED: September 30, 1946, Northern District of California, against the Italian-American Paste Co., Inc., San Francisco, Calif.

ALLEGED SHIPMENT: On or about March 26 and April 1, 1946, from the State of California into the States of Oregon and Nevada.

LABEL, IN PART: (Portions) "The Original Vegeroni Vegetable Macaroni," or "Coit Tower Brand Egg Noodles Wide."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of rodent hairs and hairs resembling rodent hairs; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 29, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500.

11535. Adulteration and misbranding of egg noodle dinner. U. S. v. 65 Cases * * * (F. D. C. No. 20681. Sample No. 59191-H.)

LABEL FILED: August 20, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about June 20, 1946, by the Oregon Mushroom Co., from Milwaukie, Oreg.

PRODUCT: 65 cases, each containing 48 1-pound cans, of egg noodle dinner at Yakima, Wash.

LABEL, IN PART: "Conan's Happy Valley Egg Noodle Dinner with Mushrooms in Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, mushrooms, had been in whole or in part omitted from the product.

Misbranding, Section 403 (a), the label statement "Egg Noodle Dinner with Mushrooms in Sauce" was false and misleading as applied to an article containing an insignificant amount of mushrooms.

DISPOSITION: September 12, 1946. The Oregon Mushroom Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

11536. Adulteration of egg noodles in tomato sauce. U. S. v. 20 Cases * * * (F. D. C. No. 20698. Sample No. 63442-H.)

LABEL FILED: August 6, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about May 13, 1946, by Kurtz Brothers, from Bridgeport, Pa.

PRODUCT: 20 cases, each containing 24 13½-ounce jars, of egg noodles in tomato sauce at Newark, N. J.

LABEL, IN PART: "Magic Chef Prepared Egg Noodles in Italian Style Tomato Sauce—With Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 23, 1946. Default decree of condemnation and destruction.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

11537. Adulteration of brewers corn flakes. U. S. v. 750 Bags * * * (F. D. C. No. 20757. Sample Nos. 5545-H, 5546-H.)

LABEL FILED: On or about September 3, 1946, District of New Jersey.