

ments, rodent hair fragments, hair resembling rodent hair, and unidentified hair; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** On December 10, 1947, pleas of not guilty having been entered, the case came on for trial. After several witnesses for the Government had testified, the defendants withdrew the pleas of not guilty on behalf of the corporation and Dominic Louis Gerbo, and pleas of guilty were entered for these defendants. The counsel for the defendants thereupon moved for dismissal of the case against Albert Martinelli. The court sentenced the Roma Macaroni Factory to pay a fine of \$10,000 and Dominic Louis Gerbo to pay a fine of \$5,000 and ordered the action dismissed as to Albert Martinelli.

**12849. Adulteration of macaroni products. U. S. v. Galioto Bros. & Co., a partnership, and William Galioto and John B. Galioto. Pleas of guilty. Partnership fined \$1,200; each individual defendant fined \$200 and costs. (F. D. C. No. 22042. Sample Nos. 15480-H to 15482-H, incl., 38163-H.)**

**INFORMATION FILED:** May 21, 1947, Northern District of Illinois, against Galioto Bros. & Co., a partnership, Chicago, Ill., and William Galioto, a partner, and John B. Galioto, an employee.

**ALLEGED SHIPMENT:** On or about March 29, September 25, and October 1, 1946, from the State of Illinois into the States of Wisconsin, Indiana, and Michigan.

**LABEL, IN PART:** "Circle M Brand \* \* \* Made from Semolina Macaroni Packed For Merchants Grocery Co. Green Bay, Wis.," or "Italian Dinner Spaghetti [or "Spaghettini"]."

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

**DISPOSITION:** December 5, 1947. Pleas of guilty having been entered, the partnership was fined \$1,200, and each individual defendant was fined \$200, plus costs.

**12850. Adulteration of noodle products. U. S. v. Weiss Noodle Company. Plea of nolo contendere. Fine, \$300 and costs. (F. D. C. No. 23308. Sample Nos. 60449-H, 84801-H to 84803-H, incl.)**

**INFORMATION FILED:** July 30, 1947, Northern District of Ohio, against the Weiss Noodle Co., a partnership, Cleveland, Ohio.

**ALLEGED SHIPMENT:** On or about December 23, 1946, and January 3, 1947, from the State of Ohio into the State of New York.

**LABEL, IN PART:** "Buckeye \* \* \* Pure Egg Noodles," "Mrs. Weiss' Homade Pure Egg Noodles," or "Weiss' Noodle Dinner."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of rodent hair fragments.

**DISPOSITION:** January 8, 1948. A plea of nolo contendere having been entered, the defendant was fined \$300, plus costs.

**12851. Adulteration of egg noodles. U. S. v. 9 Cases \* \* \*. (F. D. C. No. 24476. Sample No. 6060-K.)**

**LIBEL FILED:** March 11, 1948, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about January 17, 1948, by the Dante Food Products Co., from Buffalo, N. Y.

**PRODUCT:** 9 cases, each containing 12 1-pound packages, of egg noodles at Youngstown, Ohio.

**LABEL, IN PART:** "Marigold Pure Egg Noodles."

**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 insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 28, 1948. Default decree of condemnation and destruction.