

PRODUCT: 2,680 pounds of macaroni products at Towanda, Pa.

LABEL, IN PART: "Avon Brand Spaghetti [or "Thin Spaghetti" or "Elbow Macaroni"]" or "Semolina Elbows."

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

DISPOSITION: December 13, 1948. The Avon Macaroni Co., claimant, having withdrawn its answer and consented to the entry of a decree, judgment of condemnation was entered and the products were ordered destroyed.

13959. Adulteration and misbranding of egg noodles. U. S. v. 14 Cases, etc.
(F. D. C. No. 25778. Sample Nos. 10516-K, 10519-K.)

LIBEL FILED: September 27, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about July 20, 1948, by the Chasin Noodle Co., from Brooklyn, N. Y.

PRODUCT: 19 cases of egg noodles at Newark, N. J.

LABEL, IN PART: (Case) "Chasin's Pure Egg Noodles and Semolina Spaghetti 10 Lbs. Net."

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

Misbranding, Section 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, the minimum permitted by the standard.

DISPOSITION: November 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable organization.

13960. Adulteration and misbranding of egg noodles. U. S. v. 10 Cases * * *
(F. D. C. No. 25761. Sample No. 12719-K.)

LIBEL FILED: On or about September 23, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about June 25, 1948, by Magic Chef Food Products Co., from Bridgeport, Pa.

PRODUCT: 10 cases, each containing 24 8-ounce packages, of noodles at Camden, N. J.

LABEL, IN PART: (Package) "Magic Chef Enriched Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), Valuable constituents, thiamine (vitamin B₁), riboflavin (vitamin B₂), and iron, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as enriched egg noodles, a food for which a definition and standard of identity has been prescribed by the regulations, and it failed to conform to such definition and standard. The product contained less than 2 milligrams of thiamine, less than 1.20 milligrams of riboflavin, and less than 13 milligrams of iron per pound, whereas the regulations require that enriched egg noodles contain not less than 4 milligrams of thiamine, not less than 1.7 milligrams of riboflavin, and not less than 13 milligrams of iron per pound. Further misbranding, Section 403 (a), the label statement "Each four ounces of this product provides the following proportions of the minimum daily adult requirements of these essential food substances: Vitamin B₁, 50%; Vitamin B₂, 15%; Iron 32.5% * * *" was false and misleading as applied

to a product which did not provide the stated proportions of the minimum daily requirements for vitamin B₁, vitamin B₂, and iron.

DISPOSITION: October 15, 1948. Default decree of condemnation. It was ordered that the labels of the product be destroyed and that the product be delivered to a charitable organization.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

13961. Adulteration of brewers flakes. U. S. v. 235 Bags * * *. (F. D. C. No. 25664. Sample No. 24758-K.)

LIBEL FILED: September 23, 1948, District of Minnesota.

ALLEGED SHIPMENT: On or about October 16, 1947, from Milwaukee, Wis.

PRODUCT: 235 100-pound bags of brewers flakes at Red Wing, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 8, 1948. The Goodhue County Brewing Co., Red Wing, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed for use as animal feed, under the supervision of the Federal Security Agency.

13962. Adulteration of brewers rice. U. S. v. 167 Bags * * *. (F. D. C. No. 25682. Sample No. 44166-K.)

LIBEL FILED: October 1, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about April 28 and June 15, 1948, from Stuttgart, Ark.

PRODUCT: 167 bags of brewers rice at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 13, 1948. Bruckmann Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be denatured and converted into stock feed, under the supervision of the Federal Security Agency.

13963. Adulteration of brewers rice and brewers grits. U. S. v. 75 Bags, etc. (F. D. C. Nos. 25687 to 25689, incl. Sample Nos. 40740-K to 40742-K, incl.)

LIBELS FILED: October 6, 1948, Western District of Washington.

ALLEGED SHIPMENT: On or about June 4, 11, and 23, 1948, from Sacramento and Oakland, Calif., and Topeka, Kans.

PRODUCT: 75 100-pound bags of brewers rice and 961 100-pound bags of brewers grits at Seattle, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 15, 1948. Sick's Seattle Brewing & Malting Co., Seattle, Wash., claimant, having consented to the entry of decrees, judgments of con-