

contained less than 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

DISPOSITION: May 26, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution for its use.

20409. Adulteration and misbranding of egg noodles. U. S. v. 16 Cases \* \* \*. (F. D. C. No. 34800. Sample No. 58850-L.)

LABEL FILED: April 10, 1953, Northern District of Indiana.

ALLEGED SHIPMENT: On or about January 27, 1953, by J. Coffaro & Sons, from Chicago, Ill.

PRODUCT: 16 cases, each containing 12 16-ounce packages, of egg noodles at South Bend, Ind.

LABEL, IN PART: (Package) "Kluski Simon's Brand \* \* \* Pure Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg, 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 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 definition and standard.

DISPOSITION: June 18, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

#### MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

20410. Adulteration of brewers corn flakes. U. S. v. 65 Bags \* \* \*. (F. D. C. No. 34797. Sample No. 8301-L.)

LABEL FILED: April 2, 1953, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 2, 1953, from Geneva, N. Y.

PRODUCT: 65 80-pound bags of brewers corn flakes, at Altoona, Pa., in the possession of the Altoona Brewing Co.

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 rodent excreta; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 6, 1953. Default decree of condemnation. The court ordered that the product be delivered to a county institution, for use as animal feed.

20411. Adulteration of unpopped popcorn. U. S. v. 50 Cases, etc. (F. D. C. No. 34632. Sample Nos. 54861-L to 54864-L, incl.)

LABEL FILED: February 2, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 28, 1952, from San Jose, Calif. This was a return shipment.

PRODUCT: 88 cases, each containing 24 10-ounce packages, and 73 cases, each containing 24 1-pound packages, of unpopped popcorn at Dixon, Ill.

LABEL, IN PART: (Package) "Red & White Brand Large Yellow Pop Corn" and "Red & White Brand White Hulless Pop Corn."

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 parts.

**DISPOSITION:** August 14, 1953. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

**20412. Adulteration of unpopped popcorn. U. S. v. 75 Bags \* \* \*. (F. D. C. No. 34802. Sample No. 41001-L.)**

**LIBEL FILED:** April 3, 1953, Western District of Washington.

**ALLEGED SHIPMENT:** On or about February 28, 1952, from Nampa, Idaho.

**PRODUCT:** 75 100-pound bags of unpopped popcorn at Seattle, Wash., in the possession of the Olympic Warehouse & Cold Storage Co.

**LABEL, IN PART:** "Dickinson's Little Buster Hulless Popping Corn."

**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 rodent urine, rodent excreta, and rodent-gnawed grains; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 4, 1953. Lang & Co., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation under the supervision of the Department of Health, Education, and Welfare. 1,535 pounds of the product were found unfit and were denatured for use as animal feed.

**20413. Adulteration of rice. U. S. v. 12 Bags, etc. (F. D. C. No. 34777. Sample Nos. 55453-L, 55454-L.)**

**LIBEL FILED:** March 26, 1953, Northern District of New York.

**ALLEGED SHIPMENT:** On or about July 31 and December 22, 1952, and January 27, 1953, from Houston, Tex.

**PRODUCT:** 12 100-pound bags and 27 25-pound bags of rice at Albany, N. Y., in the possession of the George Terminal Warehouse.

**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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 13, 1953. Default decree of condemnation and destruction.

**20414. Adulteration of brewers rice. U. S. v. 6,000 Bags \* \* \*. (F. D. C. No. 32841. Sample No. 15202-L.)**

**LIBEL FILED:** March 12, 1952, District of Nebraska.

**ALLEGED SHIPMENT:** On or about June 7, 14, 15, and 16, 1951, from Woodward's Landing, British Columbia, Canada.

**PRODUCT:** 6,000 100-pound bags of brewers rice at Omaha, Nebr.

**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, insect fragments, rodent excreta, and rodent hairs. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 27, 1952. Canada Rice Mills, Ltd., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the