

LABEL IN PART: (Pkg.) "ENRICHED DELMONICO MACARONI [or "ELBOW MACARONI"] NET WEIGHT 6 OUNCES DELMONICO FOODS, INC., OF FLORIDA TAMPA, FLORIDA."

CHARGE: 402(a)(3)—contained insect parts and rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-22-59. \$1,000 fine.

26016. Egg noodles, macaroni, and spaghetti products. (F.D.C. No. 42409. S. Nos. 13-074 P, 13-081/3 P.)

INDICTMENT RETURNED: 4-21-59, N. Dist. Ill., against the Chicago Macaroni & Food Products Co., Inc., Chicago, Ill., and Joseph S. Matalone, president, and Reno Alghini, plant superintendent.

SHIPPED: Between 1-10-58 and 1-27-58, from Illinois to Michigan.

LABEL IN PART: "Net Wt. Full Pound Enriched CYRILLA Brand EGG NOODLES Made By Chicago Macaroni & Food Products Co. Chicago, Ill."; "Enriched CYRILLA Brand ELBOW Net Weight One Pound Manufactured by Chicago Macaroni & Food Products Co. Chicago, Illinois Enriched CYRILLA Macaroni Products"; Enriched CYRILLA Brand MOSTACCIOLI LISCI Net Weight One Pound Manufactured by Chicago Macaroni & Food Products Chicago, Illinois Enriched CYRILLA Macaroni Products"; and "Enriched CYRILLA Brand SPAGHETTI BUCATI Full Pound—16 oz. Net Weight Mfg. By Chicago Macaroni & Food Products Co.—Chicago, Illinois."

CHARGE: 402(a)(3)—the egg noodles contained insect fragments; 402(a)(4)—they had been prepared and packed under insanitary conditions; and 403(e)(2)—the articles, other than the egg noodles, failed to bear a label containing an accurate statement of the quantity of contents. The packages of the articles contained less than 1 lb. as represented.

PLEA: Guilty.

DISPOSITION: 11-6-59. \$1,000 fine, plus costs, against the defendants jointly.

26017. Macaroni and spaghetti products. (F.D.C. No. 43090. S. Nos. 9-993 P, 24-667 P, 32-553/4 P.)

INFORMATION FILED: 8-28-59, Dist. Mass., against Musolino LoConte Co., a corporation, Boston, Mass.

SHIPPED: Between 8-25-58 and 10-8-58, from Massachusetts to New York and California.

LABEL IN PART: (Pkg.) "SAN MARTIN 1 LB. NET WT. ASPARAGUS MACARONI DISTRIBUTED BY SAN MARTIN FOODS CO. BOSTON, MASS., and "SAN MARTIN 1 LB. NET ARTICHOKE SPAGHETTINI [or "ELBOWS" or "SPAGHETTI"] NO SALT ADDED DISTRIBUTED BY SAN MARTIN FOODS CO. BOSTON, MASS."

CHARGE: 402(a)(3)—contained insects and insect parts; 402(a)(4)—prepared under insanitary conditions; and 403(j)—the articles, other than the macaroni, purported to be and were represented as foods for special dietary use by reason of their use as a means of regulating the intake of sodium in dietary management, and the labels of the articles failed to bear, as required by regulations, a statement of the number of milligrams of sodium per 100 grams of each article and a statement of the number of milligrams of sodium in an average serving of each article.

PLEA: Guilty.

DISPOSITION: 9-11-59. \$500 fine.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

26018. Unpopped popcorn. (F.D.C. No. 42065. S. No. 15-093 P.)

QUANTITY: 834 cases, 24 10-oz. cans each, at Nashville, Tenn.

SHIPPED: On unknown dates, from Ridgeway, Ill., by Blevins Popcorn Co.

LABEL IN PART: "Pops-Rite Popcorn."

LIBELED: 7-24-58, M. Dist. Tenn.

CHARGE: 402(a) (3)—contained insects and insect parts when shipped.

DISPOSITION: 7-25-58. Consent—destruction.

26019. Unpopped popcorn. (F.D.C. No. 43645. S. No. 63-949 P.)

QUANTITY: 59 100-lb. bags at Manchester, N.H.

SHIPPED: 8-26-59, from Chicago, Ill.

LIBELED: 11-12-59, Dist. N.H.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 12-23-59. Default—delivered to a public institution for use as animal feed.

26020. Unpopped popcorn. (F.D.C. No. 43544. S. Nos. 3-329 P, 5-078/80 P.)

QUANTITY: 24 50-lb. bags, 100 cases, 12 2-lb. bags each, and 15 cases, 24 1-lb. bags each, at Bluefield, Va.

SHIPPED: Between 3-1-59 and 7-13-59, from North Fairfield and Delaware, Ohio, and Murray, Ky.

LIBELED: 9-23-59, W. Dist. Va.

CHARGE: 402(a) (3)—contained insects, insect fragments, insect excreta, and insect webbing while held for sale.

DISPOSITION: 11-17-59. Default—delivered to a public institution for use other than for human consumption.

26021. Unpopped popcorn and cake mix. (F.D.C. No. 43572. S. Nos. 76-222/5 P, 76-227/8 P.)

QUANTITY: 203 cases, 12 2-lb. bags each, and 20 cases, 5 5-lb. bags each, of popcorn, and 87 50-lb. bags of cake mix, at Memphis, Tenn.

SHIPPED: Between 11-23-57 and 5-27-59 (popcorn), from Cedar Rapids and Schaller, Iowa, and between 6-20-59 and 8-12-59 (cake mix), from Ellicott City, Md.

LIBELED: 10-5-59, W. Dist. Tenn.

CHARGE: 402(a) (3)—contained insects and insect parts while held for sale.

DISPOSITION: 11-10-59. Default—delivered to a public institution for use as animal feed.

26022. Rice. (F.D.C. No. 40061. S. No. 63-668 M.)

QUANTITY: 15 100-lb. bags at Ogden, Utah, in possession of Utah Wholesale Grocery Co.

*See also Nos. 26005, 26033.