

alleging that the articles had been shipped in interstate commerce on or about February 24 and July 14, 1942, from Janesville, Wis., by Frank H. Blodgett, Inc.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Pure Rock River Rye Meal," "Bismarck Wisconsin Rye-Wheat Jesse C. Stewart Co. Distributors, Penn.," "Wisconsin Bleached Pure Rye," or "Pure Patent Wiscogett White Rye Flour Bleached."

On November 9, 1942, Jesse C. Stewart Co., Pittsburgh, Pa., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for reconditioning and salvage. The products were mixed with other feeds and disposed of as feed for animals.

4313. Adulteration of soybean flour. U. S. v. 44 Sacks of Kellogg's Soyflake Flour. Consent decree of condemnation. Product ordered released under bond for denaturing for use as animal feed. (F. D. C. No. 8503. Sample No. 5632-F.)

This product contained beetles, moths, larvae, and insect fragments.

On October 3, 1942, the United States attorney for the Eastern District of Missouri filed a libel against 44 100-pound sacks of flour at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about August 26 and September 24, 1941, by Spencer Kellogg & Sons, Inc., from Decatur, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On November 7, 1942, E. Guckenheim Bakers' Supply Co. of St. Louis, Mo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for denaturing under the supervision of the Food and Drug Administration, for use as animal feed.

4314. Adulteration and misbranding of macaroni. U. S. v. 32 Packages and 6½ Cartons of Macaroni. Default decree of condemnation and destruction. (F. D. C. No. 8456. Sample Nos. 17334-F, 17335-F.)

On September 30, 1942, the United States attorney for the District of New Jersey filed a libel against 32 packages and 6½ cartons, each containing 20 packages, of macaroni at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about July 9, 1942, by Vittoria Macaroni Co. from Maspeth, Long Island, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: (Package) "Vittoria Fusilli Col-Buco * * * Macaroni," (stickers) "Egg-Principessa," or "Egg-Fusillini."

The article was alleged to be adulterated (1) in that it consisted in whole or in part of a filthy substance, insect fragments; (2) in that a valuable constituent, egg, had been in whole or in part omitted therefrom; (3) in that artificially colored alimentary paste, deficient in egg solids, had been substituted in whole or in part for egg alimentary paste which it purported to be; (4) in that inferiority had been concealed by the addition of artificial color; (5) in that artificial color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was; and (6) in that it contained a coal-tar color other than one from a batch that had been certified in accordance with regulations as provided by law.

The article was alleged to be misbranded in that the names "Egg-Principessa," and "Egg Fusillini," were false and misleading as applied to alimentary paste deficient in egg solids and artificially colored.

On December 11, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4315. Adulteration of egg noodles. U. S. v. 242 Cases and 366 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 8657. Sample Nos. 24471-F, 24472-F.)

This product contained beetles and larvae.

On October 28, 1942, the United States attorney for the District of Maryland filed a libel against 242 cases, each containing 24 8-ounce cellophane bags, and 366 cases, each containing 12 1-pound cellophane bags, of egg noodles at Baltimore, Md., alleging that the article had been shipped in interstate commerce within the period from on or about March 31, 1941, to on or about March 9, 1942, by the Vimco Macaroni Products Co. from Carnegie, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Fairdale Pure Egg Noodles. Manufactured By S. Viviano Macaroni Mfg. Co. Carnegie, Pa."

On November 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4316. Adulteration and misbranding of egg noodles. U. S. v. 147 Cases of Egg Noodles. Default decree of condemnation. Product ordered delivered to a State institution. (F. D. C. No. 8634. Sample No. 4288-F.)

This product contained less than 5½ percent egg solids.

On October 23, 1942, the United States attorney for the Southern District of Indiana filed a libel against 147 cases, each containing 12 bags of egg noodles, at Richmond, Ind., alleging that the article had been shipped in interstate commerce on or about September 15 and September 24, 1942, by Mrs. Kelley's Noodle Kitchen from Dayton, Ohio; and charging that it was adulterated and misbranded. The article was labeled in part: (Bag) "E Brand * * * Eavey's Pure Egg Noodles."

The article was alleged to be adulterated in that a valuable constituent, egg, had been wholly or in part omitted therefrom; and in that a substance deficient in egg solids had been substituted wholly or in part for egg noodles, which the article purported and was represented to be.

It was alleged to be misbranded in that the statement "Pure Egg Noodles," was false and misleading as applied to an article that was deficient in egg solids, and in that it was offered for sale under the name of another food, egg noodles.

On December 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On February 13, 1943, this judgment was amended to order the product delivered to a State institution instead of being destroyed.

4317. Adulteration of egg noodles. U. S. v. 93 Cases, 14 Cases and 8 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 8450, 8687. Sample Nos. 14240-F, 14546-F, 14547-F.)

This product contained beetles, larvae, insect fragments, and excreta pellets.

On October 1 and November 4, 1942, the United States attorney for the District of Arizona filed libels against 107 cases, each containing 12 1-pound bags, and 8 cases, each containing 24 8-ounce packages, of egg noodles at Phoenix and Safford, Ariz., alleging that the article had been shipped in interstate commerce on or about March 21 and July 13, 1942, by the Fontana Food Products Co. from South San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Fontana's Egg Noodles."

On November 30 and December 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4318. Adulteration of cereal binder. U. S. v. 16½ Barrels of Cereal Binder. Default decree of condemnation and destruction. (F. D. C. No. 8413. Sample No. 4422-F.)

This product contained weevils, larvae, and insect fragments.

On September 24, 1942, the United States attorney for the Southern District of Ohio filed a libel against 16½ barrels, each containing 250 pounds, of cereal binder at Cincinnati, Ohio, which had been consigned on or about August 14 and 20, 1942, alleging that the article had been shipped in interstate commerce by the Griffith Laboratories, from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Griffith's Golden Cereal Binder Fine."

On November 9, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANDY, SUGAR, AND CHOCOLATE PRODUCTS

CANDY

Nos. 4319 to 4329 report the disposition of legal actions involving candy found to be contaminated with one or more types of filth, such as rodent pellets, rodent hairs, hairs resembling rodent hairs, insects, or insect fragments.

4319. Adulteration of candies. U. S. v. Emanuel M. Frangos (Jane Louise Candies). Plea of guilty. Fine, \$300. (F. D. C. No. 7692. Sample Nos. 1153-E, 59891-E, 87798-E.)

On October 13, 1942, the United States attorney for the Eastern District of Pennsylvania filed an information against Emanuel M. Frangos, trading as