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