

November 21, 1942, from the State of Massachusetts into the State of Rhode Island of a quantity of egg noodles that were adulterated and misbranded.

The article was alleged to be adulterated (1) in that egg, a valuable constituent of egg noodles, had been in part omitted therefrom; and (2) in that noodles containing a smaller amount of egg than egg noodles should contain had been substituted for egg noodles. It was alleged to be misbranded (1) in that the statement: "Pure Egg Noodles" borne on the cases was false and misleading; and (2) in that it was not egg noodles, but had been offered for sale and sold under that name.

On May 18, 1943, pleas of guilty having been entered, the court imposed a fine of \$50 upon each defendant.

4736. Adulteration of egg noodles. U. S. v. 150 Cases of Egg Noodles (and 2 additional seizure actions against egg noodles). Default decrees of condemnation and destruction. (F. D. C. Nos. 9477, 9796, 9797. Sample Nos. 19136-F, 44362-F, 44363-F, 45067-F, 45068-F.)

This product contained insect fragments, rodent hair fragments, hair fragments resembling rodent hairs, and wood splinters.

On or about March 8 and April 19, 1943, the United States attorney for the District of New Jersey filed libels against 150 cases of egg noodles at Perth Amboy, N. J., 98 cases of egg noodles at Jersey City, N. J., and 35 cases of egg noodles at Bayonne, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about February 10 to March 23, 1943, by A. Zerega's Sons, Inc., Brooklyn, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "Filigree Quality Egg Noodles * * * Filigree Quality Foods, Inc. Jersey City, New Jersey Distributors"; "Flagstaff Pure Egg Noodles Distributors Greenspan Bros Co., Perth Amboy, N. J."; or "Fisher's Cream of the Crop Egg Noodles * * * Packed by Fisher Milling Co. Bayonne, N. J."

On April 12 and June 21, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

4737. Adulteration of noodles. U. S. v. 24 Cases and 47 Cases of Noodles. Default decree of condemnation and destruction. (F. D. C. Nos. 9263, 9264. Sample Nos. 30840-F, 30841-F.)

On February 1, 1943, the United States attorney for the District of Oregon filed a libel against 71 50-pound cases of noodles at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about December 17, 1942, by the Majestic Food Products Co. (formerly Shanghai Noodle & Macaroni Mfg. Co.) from Oakland, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, rodent-hair fragments, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

On March 2, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4738. Adulteration of rice. U. S. v. 45 Bags of Rice. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. Nos. 8183, 8184. Sample Nos. 4039-F, 4040-F.)

This product had been stored under insanitary conditions after shipment and, when examined, was found to be weevil-infested. The bags were dirty and covered with weevils and rodent pellets, and showed rodent urine stains.

On August 22, 1942, the United States attorney for the Eastern District of Tennessee filed a libel against 18 100-pound bags and 27 25-pound bags of rice at Chattanooga, Tenn., alleging that it had been shipped within the period from on or about February 7 to May 4, 1942, from Dewitt and Carlisle, Ark., and that it was in the possession of the C. D. Kenny Co. at Chattanooga, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Bag) "Fag Godchaux's Private Stock Rice," or "Smith Coated Rice."

On December 9, 1942, the C. D. Kenny Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.