5113. Adulteration of macaroni products. U. S. v. 327 Packages of Macaroni Products (and 5 additional seizure actions against macaroni products). Default decrees of condemnation and destruction. (F. D. C. Nos. 9951, 9955, incl., 10012. Sample Nos. 23288–F, 23291–F to 23294–F, incl., 28958–F.)

These products contained rodent hair fragments, and insect fragments, and one lot contained human hair fragments.

On May 15 and 26, 1943, the United States attorneys for the Eastern District of Pennsylvania and the Eastern District of South Carolina filed libels against 959 packages and 12 cases of macaroni products at Philadelphia, Pa., and 120 boxes of macaroni products at Columbia, S. C., alleging that the articles had been shipped in interstate commerce within the period from on or about April 19 to 28, 1943, by the Cardinale Macaroni Mfg. Co., Inc., from Brooklyn, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they may have become contaminated with filth. The articles were labeled in part: "Cardinale Grade A Macaroni".

On June 12 and July 12, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

5114. Adulteration of egg noodles, spaghetti, and macaroni, and misbranding of spaghetti. U. S. v. 70 Cartons of Egg Noodles and 86 Cartons of Spaghetti (and 2 additional seizure actions against alimentary paste products). Default decrees of condemnation and destruction. (F. D. C. Nos. 9756, 9855, 10110. Sample Nos. 6701–F, 6707–F, 6740–F, 43307–F, 43308–F, 43310–F.)

This product contined rodent hairs, hairs resembling rodent hairs, and insect fragments.

Between April 8 and June 19, 1943, the United States attorneys for the Western District of Tennessee and the Western District of Oklahoma filed libels against 70 cartons of egg noddles and 769 cartons of spaghetti at Memphis, Tenn., and 91 cartons of macaroni and 114 cartons of spaghetti at Prague, Okla., alleging shipment within the period from on or about December 29, 1942, and April 27, 1943, by the Domino Macaroni Co. from Springfield, Mo.; and charging that it was adulterated and misbranded. The article was labeled in part: "Domino Durum Wheat * * * Long Spaghetti," or "Blue Jay Spaghetti" [on portions, "Our product is manufactured in a modern plant under the most sanitary conditions," or "Western Delight Brand Macaroni [or "Spaghetti"]."

The article was alleged to be 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.

Portions of the article were alleged to be misbranded in that the statement, "Our product is manufactured in a modern plant under the most sanitary conditions," borne on some of the labels, was false and misleading as applied to a food manufactured under insanitary conditions.

On May 24 and July 20, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5115. Adulteration and misbranding of macaroni. U. S. v. 15 Cases of Macaroni (and 8 additional seizure actions against alimentary paste products). Default decrees of condemnation. One lot ordered delivered to a charitable institution. The remaining lots ordered destroyed. (F. D. C. Nos. 9723, 9831, 9996, 9997, 10009, 10021, 10085, 10086, 10101. Sample Nos. 19634–F, 19636–F, 22046–F, 23234–F, 23260–F, 23295–F to 23298–F, incl., 23705–F, 23706–F.)

Portions of the product contained insect fragments and rodent or cat hair fragments. The remainder was artificially colored to simulate alimentary pastes containing a higher proportion of egg than was present.

Between March 29 and June 16, 1943, the United States attorneys for the Eastern and Western Districts of Pennsylvania and the District of Massachusetts filed libels against 620 cases, each containing 20 packages, of various alimentary paste products at Philadelphia, Pa., 78 cartons, each containing 20 packages, of various alimentary paste products at Boston, Mass., and 150 cartons, each containing 20 packages, of various alimentary paste products at Indiana, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about February 1 to May 20, 1943, by the Vittoria Macaroni Co. from Maspeth, N. Y.; and charging that it was adulterated and misbranded. Portions of the article were labeled in part: "Vittoria Fusilli Col-Buco," "Indiana Brand," "Lion Brand," or "Vittoria Specialties." One lot was labeled in part "Indiana Brand Fusilli Made from No. 1 Semolina Guaranteed to comply w State and Federal Pure Food Laws * * * Manufactured by Indiana Macaroni Co., Inc., Indiana, Pa."