30308. Egg noodles. (F.D.C. No. 50485. S. Nos. 7–643 A, 8–247 A, 12–597/8 A, 12–809 A.)

INFORMATION FILED: 3–25–65, Dist. Mass., against Luso-American Macaroni Manufacturing Co., Inc., and Antonio J. Pereira, president and treasurer, Fall River, Mass.

SHIPPED: Between 1–2–64 and 3–16–64, from Fall River, Mass., to Pawtucket, R.I., and Richmond, Va.

LABEL IN PART: (Case) "VENUS EGG NOODLES MEDIUM [or "FINE" or "WIDE"] 10 LB. NET," and "FINER FOODS BRAND EGG NOODLES MEDIUM 10 LB. NET."

CHARGE: 402(b)(1)—when shipped, a valuable constituent, solids of egg, or egg yolk, had been in part omitted from the article; 403(g)(1)—the article failed to conform to the definition and standard of identity for egg noodles, since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk.

PLEA: Guilty.

DISPOSITION: 9–13–65. Corporation—$1,000 fine; Pereira—$1,000 fine.

30309. Egg noodles. (F.D.C. No. 51316. S. No. 34–875 A.)

INFORMATION FILED: 7–7–65, S. Dist. Ohio, aginst Freeman Food Distributors, a partnership, Cincinnati, Ohio, and Martin A. Freeman, partner.

ALLEGED VIOLATION: Between 2–21–63 and 4–27–64, while quantities of egg noodles were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building that was accessible to insects and to be exposed to contamination by insects, which act resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained insects, insect parts, and insect excreta; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9–9–65. Partnership—$500 fine, $400 of which was suspended; individual—$500 fine, suspended.

30310. Enriched egg noodles. (F.D.C. No. 51275. S. Nos. 2–210/11 B.)

QUANTITY: 262 cases, each containing 12 12-oz. bags, at Cincinnati, Ohio.

SHIPPED: 3–16–65, from Louisville, Ky., by Delmonico Food, Inc.

LABEL IN PART: (Bag) "Delmonico Chef Tony Vitamin Enriched * * * Pure Egg Noodles * * * 4 Ounces of this product provide the following proportions of the minimum daily adult requirements of these essential food substances: Thiamin (Vitamin B–1) 50%, Riboflavin (Vitamin B–2) 25%, Niacin (Another B Vitamin) 40%, and Iron 32.5% * * * Made by Delmonico Foods, Inc., Louisville, Kentucky."

LIBELED: 4–19–65, S. Dist. Ohio.

CHARGE: 402(a)(1)—when shipped, the article contained an added poisonous and deleterious substance, Salmonella micro-organisms, which may have rendered it injurious to health; and 403(g)(1)—the article failed to conform to the definition and standard of identity for enriched egg noodles, since it contained less than 4 milligrams of thiamin, less than 1.7 milligrams of riboflavin, and less than 27 milligrams of niacin in each pound.

DISPOSITION: 6–14–65. Default—destruction.