6406. Adulteration of root beer. U. S. v. 360 Cases and 156 Cases of Root Beer. Consent decree of condemnation. Product ordered destroyed, and bottles and cases returned to claimant. (F. D. C. No. 12370. Sample No. 79523–F.)

LIBEL FILED: May 12, 1944, District of Columbia.

PRODUCT: 360 cases, each containing 12 quart bottles, and 156 cases, each containing 24 pint bottles, of root beer offered for sale in the District of Columbia at the Root Pop Bottling Co.

LABEL IN PART: (Bottles, portion) "Root Rock Beverages * * * Bottled by Root Rock Beverages Washington, D. C."

VIOLATION CHARGED: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloracetic acid, which was unsafe within the meaning of the law since it was a substance not required in the production of the food and could have been avoided by good manufacturing practice.

DISPOSITION: May 22, 1944. The Root Pop Bottling Co., Inc., Washington, D. C., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed, and the bottles and cases were ordered returned to the claimant.

CEREALS AND CEREAL PRODUCTS

ALIMENTARY PASTES*

6407. Adulteration of egg noodles and noodle soup mixture. U S. v. A. Goodman & Sons, Inc. Plea of guilty. Fine, $2,250. (F. D. C. No. 10582. Sample Nos. 18828–F, 23516–F, 44598–F.)

INFORMATION FILED: On January 14, 1944, in the Southern District of New York, against A. Goodman & Sons, Inc., New York, N. Y.

ALLEGED SHIPMENT: On or about November 16, 1942, and February 23, 1943, from the State of New York into the States of New Jersey, Pennsylvania, and Connecticut.

LABEL, IN PART: "Goodman's * * * Egg Noodles [or "Noodle Soup"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following types of filth: Rodent hair fragments, rodent excreta fragments, fragments resembling rodent excreta, fragments resembling rodent hair, beetle and insect fragments, an insect, a human hair fragment, wood splinters, paint, pebbles, paper fragments, a cat hair, and a feather barbule; and Section 403 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 4, 1944. The defendant having entered a plea of guilty, a fine of $750 on each of 3 counts was imposed, a total fine of $2,250.

6408. Adulteration of alimentary paste. U. S v. Gioia Macaroni Co., Inc. Plea of guilty. Fine, $500. (F. D. C. No. 10574. Sample Nos. 33612–F, 33732–F.)

INFORMATION FILED: On November 10, 1943, in the Western District of New York, against Gioia Macaroni Co., Inc., Rochester, N. Y.

ALLEGED SHIPMENT: On or about January 28 to February 16, 1943, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: (Boxes) "Gioia Anellini," "Blue and White Spaghetti," or "Blue and White Elbows Macaroni."

VIOLATIONS CHARGED: Adulteration, Section 402(a)(3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and hair fragments resembling rodent hairs; and, Section 402(a)(4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 1, 1944. A plea of guilty having been entered, a fine of $250 on each of 2 counts, a total of $500, was imposed.

6409. Adulteration of macaroni and spaghetti. U. S. v. 48 Cases of Macaroni and 113 Cases of Spaghetti. Default decrees of condemnation and destruction. (F. D. C. 10366, 10794. Sample Nos. 35438–F, 35440–F, 35618–F.)

LIBELS FILED: August 10 and September 22, 1943, Western District of South Carolina and Northern District of Georgia.

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*See also Nos. 6579 and 6580.