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 rodent hair fragments, fragments resembling rodent hairs, and insect fragments; and, Section 402 (a)(4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 6, 1944. The St. Louis Macaroni Manufacturing Co., Inc., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered delivered to the claimant under bond, to be used for hog and chicken feed under the supervision of the Food and Drug Administration.

6609. Adulteration and misbranding of egg noodles. U. S. v. 30 Cartons and 27 Cartons of Egg Noodles (and 1 other seizure action against egg noodles). Default decrees of condemnation and destruction. (F. D. C. Nos. 12134, 12155. Sample Nos. 51197–F, 51198–F, 76019–F.)

LIBELS FILED: On or about April 3 and 7, 1944, Southern District of New York and District of Delaware.

ALLEGED SHIPMENT: From on or about January 28 to February 10, 1944, by the Kurtz Brothers Corporation, Bridgeport, Pa.

PRODUCT: Egg noodles: 57 10-pound cartons at New York, N. Y., and 40 cases, each containing 12 1-pound bags, at Wilmington, Del.

Analysis showed that the article contained, in the Wilmington lot, less than 2 percent and, in the New York lot, less than 1.5 percent of egg solids. It is the general trade and consumer understanding that egg noodles shall contain not less than 5.5 percent of egg solids.

LABEL, IN PART: "Pasquelina Brand Dist. By B. Mandel Pure Egg Folded Noodles," or "Kurtz King Brand Pure Egg Noodles."

VIOLATIONS CHARGED: Adulteration, Section 402(b)(1), a valuable constituent, egg, had been in whole or in part omitted from the article; and, Section 402(b)(2), a substance, noodles, deficient in egg solids, had been substituted in whole or in part for egg noodles, which the article was represented to be.

Misbranding, Section 403(a), the statement "Pure Egg Noodles" was false and misleading as applied to the article, which was deficient in egg solids.

DISPOSITION: April 24 and 28, 1944. No claimant having appeared, judgments of condemnation were entered and the article was ordered destroyed.

6610. Adulteration of macaroni. U. S. v. 197 Cartons and 733 Cases of Elbow Macaroni. Default decree of condemnation. Product ordered delivered to charitable institutions, for denaturing and use as animal feed. (F. D. C. No. 11909. Sample Nos. 61099–F, 61100–F, 61441–F.)

LIBEL FILED: February 28, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about April 6, 1943, by the Kentucky Macaroni Co., Inc., from Louisville, Ky.

PRODUCT: 197 cartons, each containing 10 pounds, of macaroni, and 733 cases, each containing 24 6-ounce cartons, of macaroni at San Antonio, Tex.

LABEL, IN PART: (Carton) "Rex [or "Jay-Tee Brand"] Elbow Macaroni."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, insect excreta, rodent excreta, and rodent hairs.

DISPOSITION: April 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions, for denaturing and use as animal feed.

6611. Adulteration of macaroni and spaghetti. U. S. v. 9 Boxes of Macaroni (and 1 other seizure action against macaroni and spaghetti). Default decrees of condemnation and destruction. (F. D. C. Nos. 12750, 13508. Sample Nos. 68019–F, 68021–F, 68022–F, 75576–F.)

LIBELS FILED: June 27 and September 5, 1944, Southern District and Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 17 and June 16, 1944, by the Viviano Brothers Macaroni Co., Detroit, Mich.

PRODUCT: 9 20-pound boxes of macaroni at Youngstown, Ohio, and 43 cases, each containing 24 16-ounce cellophane bags, of spaghetti, 6 boxes, each containing 20 pounds, of spaghetti, and 2 boxes, each containing 20 pounds, of macaroni at Columbus, Ohio.