DISPOSITION: Between June 25 and July 25, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9827. Adulteration of spaghetti and macaroni. U. S. v. 182 Cases of Spaghetti and 182 Cases of Macaroni. Default decree of forfeiture. Product ordered delivered to a public institution. (F. D. C. No. 20024. Sample Nos. 50971–H, 50972–H.)

LIBEL FILED: May 22, 1946, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about April 16, 1946, by Galioto Brothers & Co., Chicago, Ill.

PRODUCT: 182 cases, each containing 12 cartons, of spaghetti and 182 cases, each containing 12 cartons, of macaroni at Marshfield, Wis.

LABEL, IN PART: (Cartons) "Italian Dinner Brand * * * 2 Lbs. Net Wt."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hairs and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: August 1, 1946. No claimant having appeared, judgment of forfeiture was entered and the products were ordered delivered to a public institution, for use as chicken feed.

9828. Adulteration and misbranding of spaghetti dinner. U. S. v. 249 Cases of Spaghetti Dinner. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 20269. Sample No. 65219–H.)

LIBEL FILED: June 17, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 2, 1946, by Roselli's Pure Food, Inc., from Merchantville, N. J.

PRODUCT: 249 cases, each containing 12 8-ounce packages, of spaghetti at Philadelphia, Pa. The package contained a bottle of sauce, a package of spaghetti, and a jar of a grated cheese product. Examination disclosed that the cheese product contained approximately 21 percent lactose, which indicated the presence of a milk product other than cheese.

LABEL, IN PART: "Penn Treaty * * * Italian Style Spaghetti Dinner Contains * * * ½ oz. Grated Cheese * * * Distributed by Quaker City Wholesale Grocery Co. Inc. Philadelphia, Pa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated cheese.

Misbranding, Section 403 (a), the label statement "Grated Cheese" was false and misleading.

DISPOSITION: June 11, 1946. Roselli's Pure Food, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration. On August 5, 1946, the decree was amended to provide that the cheese product in the package be destroyed and replaced with grated cheese.

9829. Adulteration and misbranding of spaghetti dinner. U. S. v. 14 Cases and 22 Cases of Spaghetti Dinner. Default decrees of condemnation. Product ordered delivered to charitable institutions. (F. D. C. Nos. 20511, 20512. Sample Nos. 65027–H, 65525–H.)

LIBELS FILED: On or about July 16, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about June 3 and 7, 1946, by the Philadelphia Macaroni Manufacturing Co., from Philadelphia, Pa.

PRODUCT: Spaghetti dinner. 14 cases at Camden, N. J., and 22 cases at Vineland, N. J. Each case contained 12 packages of the product. The packages contained spaghetti, a bottle of sauce, and a shaker-type bottle of a grated cheese product. Examination disclosed that the cheese product contained approximately 20 percent lactose, which indicated the presence of a milk product other than cheese.

LABEL, IN PART: "Italian Spaghetti Dinner King Midas * * * ½ Oz. Grated Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance high in lactose had been substituted in whole or in part for grated cheese.

Misbranding, Section 403 (a), the label statements, "Grated Cheese" and