

CHARGE: 402(a)(3)—contained (egg noodles) insect fragments when shipped, and (egg elbows) insects while held for sale; 402(a)(4)—(egg noodles) prepared and packed under insanitary conditions; 403(e)(2)—(egg noodles) when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents; and 403(i)(2)—(both lots) when shipped, the articles had been fabricated from two or more ingredients and their labels failed to bear the common or usual name of each ingredient since "Bio-Dynamic Wheat" is not the common or usual name of this ingredient.

DISPOSITION: 9-14-60. Default—destruction.

26871. Egg noodles. (F.D.C. No. 44341. S. Nos. 73-352 P, 85-966/7 P.)

INFORMATION FILED: 7-29-60, S. Dist. N.Y., against Home-Way Real Egg Noodle Corp., Bronx, N.Y., and Albert Nehring, president of the corporation.

SHIPPED: 9-18-59 and 10-13-59, from New York to New Jersey.

CHARGE: 402(a)(3)—contained insects, insect fragments, rodent hairs, wood splinters, and metal fragments; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-5-60. Each defendant fined \$100; individual defendant placed on probation for 1 day pending payment of the fines.

#### MISCELLANEOUS CEREALS

26872. Unpopped popcorn. (F.D.C. No. 44760. S. Nos. 38-952/3 R.)

QUANTITY: 48 cases, 12 2-lb. bags each, and 175 cases, 24 1-lb. bags each, at Memphis, Tenn.

SHIPPED: 2-17-60 and 6-3-60, from Schaller, Iowa.

LIBELED: 8-2-60, W. Dist. Tenn.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 9-2-60. Default—delivered to a public institution for use as animal feed.

26873. Rice. (F.D.C. No. 44883. S. Nos. 2-984/7 R.)

QUANTITY: 23 shipping bags, 6 10-lb. cloth bags each, 406 25-lb. bags, and 10 100-lb. bags at Walterboro, S.C., in possession of Coastal Fruit Co.

SHIPPED: 6-6-60 and 7-6-60, from Stuttgart, Ark.

LIBELED: 9-8-60, E. Dist. S.C.

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

DISPOSITION: 10-31-60. Default—delivered to a public institution for use as animal feed.

26874. Rice and chestnuts. (F.D.C. No. 44864. S. Nos. 7-416/8 R.)

QUANTITY: 13 100-lb. bags of rice and 25 55-lb. bags of chestnuts at South Boston, Mass.

SHIPPED: Between 7-2-59 and 2-16-60, from Genoa, Italy; Stuttgart, Ark.; and Beaumont, Tex.

LIBELED: 8-22-60, Dist. Mass.