PRODUCT: 40 cartons, each containing 30 1-pound packages, of macaroni products at New York, N. Y.

LABEL, IN PART: "'La Perla' Macaroni Products."

NATURE OF CHARGE: 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 and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 14, 1947. Default decree of condemnation and destruction.

12225. Adulteration of noodle products. U. S. v. 556 Cartons * * * (and 3 other seizure actions against noodle products). (F. D. C. Nos. 23095, 23168, 23195, 23370. Sample Nos. 39255–H to 39260–H, incl., 39263–H, 39264–H, 39598–H, 39599–H, 87605–H, 87636–H to 87638–H, incl.)

LIBELS FILED: June 5 and 17 and July 3 and 22, 1947, District of New Jersey, District of Connecticut, Northern District of Illinois, and Eastern District of Wisconsin.

ALLEGED SHIPMENT: Between the approximate dates of May 15 and 19, 1947, by A. Streit, Inc., from New York, N. Y.

PRODUCT: Noodle products. 556 12-pound cartons at Chicago, Ill.: 9 12-pound cartons, 12 10-pound cartons, and 230 8-pound cartons at Jersey City, N. J.; 25 cases, each containing 12 1-pound cartons, and 10 cases, each containing 24 8-ounce cartons, at New Haven, Conn.; and 34 cases, each containing 12 1-pound cartons, at Milwaukee, Wis.

LABEL, IN PART: "Streit's DeLuxe * * * Egg Noodles [or "Egg Barley"]."

NATURE OF CHARGE: 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 and rodent-hair fragments; and (3 lots), Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 4, 12, and 21, and October 17, 1947. Default decrees of condemnation. One lot was ordered delivered to a Federal institution for use as hog feed, and the remaining lots were ordered destroyed.

12226. Adulteration of noodles and alimentary paste. U. S. v. 3 Cases * * *. (F. D. C. No. 23090. Sample Nos. 82646–H to 82649–H, incl.)

LIBEL FILED: June 29, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about May 23, 1947, by Denver Noodle Factory, from Denver, Colo.

PRODUCT: 3 25-pound cases, 3 12½-pound cases, 2 30-pound cases, and 3 15-pound cases of noodles and alimentary paste, at Seattle, Wash.

LABEL, IN PART: "Alimentary Paste Chop Suey Noodle" and "Oriental Alimentary Paste."

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

DISPOSITION: October 31, 1947. Default decree of condemnation and destruction.

12227. Adulteration of spaghettini. U. S. v. 100 Cases * * *. (F. D. C. No. 23075. Sample No. 75729–H.)

LIBEL FILED: June 18, 1947, District of Hawaii.

ALLEGED SHIPMENT: On or about May 13, 1947, by Juillard Fancy Foods, from San Francisco, Calif.

PRODUCT: 100 cases, each containing 20 pounds, of spaghettini at Honolulu, T. H.

LABEL, IN PART: "Semolina Spaghettini Twenty (20) Pounds Net Royal Brand California Manufacturing Company, San Francisco, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared and packaged under insanitary conditions whereby it had become contaminated with filth. (Samples were found to contain insect filth.)

DISPOSITION: August 1, 1947. Default decree of condemnation and destruction.

12228. Adulteration of spaghetti. U. S. v. 49 Cases * * *. (F. D. C. No. 23079. Sample No. 75335–H.)

LIBEL FILED: June 18, 1947, District of Hawaii.

ALLEGED SHIPMENT: On or about April 17, 1947, by Theo H. Davies and Co., Ltd., from San Francisco, Calif.

PRODUCT: 49 cases, each containing 24 8-ounce packages, of spaghetti at Hilo, T. H.

LABEL, IN PART: "Royal Semolina Spaghetti."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared and packaged under insanitary conditions whereby it had become contaminated with filth. (Samples examined were found to contain insect fragments.)

DISPOSITION: August 1, 1947. Default decree of condemnation and destruction.

12229. Misbranding of spaghetti. U. S. v. 7 Cases * * *. (F. D. C. No. 22773. Sample No. 60977–H.)

LIBEL FILED: March 26, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 28, 1947, by the Cumberland Macaroni Manufacturing Co., from Cumberland, Md.

PRODUCT: 7 cases, each containing 20 1-pound packages, of spaghetti at Johnstown, Pa.

LABEL, IN PART: "Cumberland's Alpine Eagle Brand Spaghetti."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since the spaghetti occupied only about 67 percent of the volume of the package.

DISPOSITION: April 30, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS CEREAL PRODUCTS

12230. Adulteration of brewers grits and brewers flakes. U. S. v. 259 Bags, etc. (and 1 other seizure action). (F. D. C. Nos. 23172, 23179. Sample Nos. 66219–H, 66220–H, 65999–H.)

LIBELS FILED: June 4 and 6, 1947, District of Delaware and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 23 and May 1, 1947, by Patent Cereals Co., from Geneva, N. Y.

PRODUCT: 259 100-pound bags of brewers grits and 112 80-pound bags of brewers flakes at Wilmington, Del.; 53,900 pounds of brewers grits at Reading, Pa.

LABEL, IN PART: (Portion) "Geneva Grits [or "Flakes"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: June 6 and July 8, 1947. The Patent Cereals Co., claimant for the Reading lot and the consignee for the Wilmington lot, having consented to the entry of decrees, judgments of condemnation were entered. The Reading lot was ordered released to the claimant to be denatured and sold for animal feed, and the Wilmington lot was ordered delivered to a public institution to be disposed of for the same purpose.

12231. Adulteration of popcorn. U. S. v. 863 Bags * * *. (F. D. C. No. 22775. Sample Nos. 39176–H to 39184–H, incl.)

LIBEL FILED: March 28, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of August 1 and September 3, 1946, by E. F. Schroer, from St. Marys, Ohio.