

the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

12440. Adulteration of spaghetti with tomato sauce. U. S. v. 58 Cases * * *.
(F. D. C. No. 21848. Sample No. 67731-H.)

LIBEL FILED: December 10, 1946, District of Kansas.

ALLEGED SHIPMENT: On or about November 20, 1945, by the Archer House Co., from Fort Worth, Tex.

PRODUCT: 58 cases, each containing 24 15½-ounce jars, of spaghetti with tomato sauce at Hillsboro, Kans.

LABEL, IN PART: "Archer House Spaghetti with Tomato Sauce and Spices."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: March 31, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12441. Adulteration of spaghetti dinner. U. S. v. 46 Cases * * *. (F. D. C. No. 23545. Sample No. 44842-H.)

LIBEL FILED: August 6, 1947, District of Arizona.

ALLEGED SHIPMENT: On or about May 15 and June 2, 1947, by the Superior Macaroni Co., from Los Angeles, Calif.

PRODUCT: 46 cases, each containing 12 packages, of spaghetti dinner at Phoenix, Ariz.

LABEL, IN PART: (Packages) "Superio Italian Complete Spaghetti Dinner * * * Contents * * * 8 oz. Tasty Italian Style Spaghetti Sauce—½ oz. Grated Cheese—7 oz. Kwick Kook Semolina Spaghetti."

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

DISPOSITION: October 8, 1947. Default decree of condemnation and destruction.

12442. Adulteration of Chili-Mac Dinner. U. S. v. 36 Cases * * *. (F. D. C. No. 23652. Sample No. 44856-H.)

LIBEL FILED: August 22, 1947, District of Arizona.

ALLEGED SHIPMENT: On or about June 27, 1947, by the Superior Macaroni Co., From Los Angeles, Calif.

PRODUCT: 36 cases, each containing 24 packages, of Chili-Mac Dinner at Phoenix, Ariz. Each package contained one unlabeled white paper bag of cut macaroni and one sealed wax paper envelope containing a chili powder mix.

LABEL, IN PART: (Packages) "Superio Chili-Mac Dinner."

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, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 8, 1947. Default decree of condemnation and destruction.

12443. Adulteration of soup mix. U. S. v. 277 Cartons * * *. (F. D. C. No. 22473. Sample Nos. 61202-H, 61203-H.)

LIBEL FILED: February 4, 1947, Western District of New York.

ALLEGED SHIPMENT: Between the approximate dates of October 25 and December 30, 1946, by the Weiss Noodle Co., from Cleveland, Ohio.

PRODUCT: 277 cartons, each containing 24 3-ounce boxes, of noodle soup mix and egg noodle soup mix at Rochester, N. Y.

LABEL, IN PART: "Cook's Home Style Noodle [or "Egg Noodle"] Soup Mix."

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

DISPOSITION: April 15, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS CEREAL PRODUCTS*

12444. Adulteration of Corn Cones. U. S. v. 1,183 Bags * * *. (F. D. C. No. 23942. Sample Nos. 7207-K, 7208-K.)

LIBEL FILED: October 30, 1947, Western District of New York.

ALLEGED SHIPMENT: On or about September 19 and October 2, 1947, by the Mt. Vernon Milling Co., from Mount Vernon, Ind.

PRODUCT: 1,183 100-pound bags of Corn Cones at Buffalo, N. Y. The product resembled finely ground white corn meal.

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 insects, 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: November 20, 1947. General Mills, Inc., Buffalo, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Federal Security Agency, and thereafter to be sold as cattle feed.

12445. Misbranding of brewers flakes. U. S. v. 260 Bags * * *. (F. D. C. No. 23775. Sample No. 19101-K.)

LIBEL FILED: September 24, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about July 29, 1947, by the Mt. Vernon Milling Co., from Mount Vernon, Ind.

PRODUCT: 260 100-pound bags of brewers flakes at Cleveland, Ohio.

LABEL, IN PART: "Sno-Fluf Brewers Flakes."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: September 29, 1947. The Cleveland Home Brewing Co., Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as cattle feed, under the supervision of the Food and Drug Administration.

12446. Adulteration of canned hominy. U. S. v. 11 Cases * * *. (F. D. C. Nos. 22847, 22848. Sample Nos. 82320-H, 82347-H.)

LIBELS FILED: April 18, 1947, Eastern District of Washington.

ALLEGED SHIPMENT: On or about November 11, 1946, by Swint's Cannery, from Paris, Tex.

PRODUCT: 6 cases at Cowiche, Wash., and 5 cases at Selah, Wash. Each case contained 24 1-pound, 4-ounce cans, of the product.

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 larvae.

DISPOSITION: May 20, 1947. Default decrees of condemnation and destruction.

12447. Adulteration of canned hominy. U. S. v. 13 Cases * * *. (F. D. C. No. 22378. Sample No. 81395-H.)

LIBEL FILED: January 14, 1947, Eastern District of Washington; libel amended January 24, 1947.

ALLEGED SHIPMENT: On or about November 11, 1946, by Swint's Cannery, from Paris, Tex.

PRODUCT: 13 cases, each containing 24 1-pound, 4-ounce cans, of hominy at Yakima, Wash.

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 maggots, larvae, and larvae fragments.

*See also No. 12437.