

**LABEL, IN PART:** "Royal Spaghetti Semolina," "Royal Brand \* \* \* Semolina Spaghetini," or "Royal Vitamin Enriched Ingredients: Semolina, Vitamin B<sub>1</sub>, Vitamin B<sub>2</sub>, Niacin, Iron pyrophosphate. Macaroni \* \* \* Four ounces when cooked supply the following of adult minimum daily requirements: Vitamin B<sub>1</sub> 50% Vitamin B<sub>2</sub> 15% Iron 32.5% and 4.0 mg. Niacin."

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

Enriched macaroni. Misbranding, Section 403 (g) (1), the product purported to be and was represented as enriched macaroni, and it failed to conform to the definition and standard of identity for enriched macaroni since it contained in each pound less than 4 milligrams of thiamine and less than 13 milligrams of iron; and, Section 403 (a), the label statements "Comparative Food Values of Macaroni and Other Foods Calories Lean steak . . . 950, Potatoes . . . 365, Parsnips . . . 295, Beets . . . 230, Carrots . . . 195, Onions . . . 190, String beans . . . 170, Turnips . . . 160, Cabbage . . . 115, Lettuce . . . 65, Macaroni . . . 1665," were misleading, since the statements represented and suggested that macaroni had the highest food value of any of the foods mentioned, whereas macaroni does not have the highest food value of any of the foods mentioned. Further misbranding, Section 403 (a), the label statement "Four ounces when cooked supply the following of adult minimum daily requirements: Vitamin B<sub>1</sub> 50% Vitamin B<sub>2</sub> 15% Iron 32.5% and 4.0 mg. Niacin" was false and misleading, since four ounces of the article would not supply the stated proportions of the minimum daily requirements of vitamin B<sub>1</sub>, vitamin B<sub>2</sub>, and iron, and would not supply four milligrams of niacin.

**DISPOSITION:** April 14, 1948. Pleas of nolo contendere having been entered, the defendants were each fined \$1,125, a total of \$2,250.

**13038. Adulteration of macaroni. U. S. v. B. Filippone & Co., a corporation, and John B. Filippone. Pleas of guilty. Corporation fined \$1,500; individual fined \$150.** (F. D. C. No. 24072. Sample Nos. 87572-H, 87573-H, 87745-H, 87775-H.)

**INFORMATION FILED:** January 13, 1948, District of New Jersey, against B. Filippone & Co., Passaic, N. J., and John B. Filippone, secretary.

**ALLEGED SHIPMENT:** On or about June 10, 1947, from the State of New Jersey into the State of New York.

**LABEL, IN PART:** "La Perla' Macaroni Products," or "Puccini Brand Macaroni"; (on some packages) "Manufactured by National Macaroni Mfg. Co. Garfield, N. J."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments 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 3, 1948. Pleas of guilty having been entered, the corporation was fined \$1,500 and the individual defendant was fined \$150.

**13039. Adulteration and misbranding of macaroni and noodle products. U. S. v. V. Viviano & Brothers Macaroni Manufacturing Co., Frank P. Viviano, and Peter R. Viviano. Pleas of nolo contendere. Fine of \$300 against company. Individual defendants ordered discharged.** (F. D. C. No. 24078. Sample Nos. 93899-H, 93900-H, 93941-H to 93945-H, incl., 94163-H, 28402-K.)

**INFORMATION FILED:** January 22, 1948, Eastern District of Missouri, against V. Viviano & Brothers Macaroni Manufacturing Co., a corporation, St. Louis, Mo., Frank P. Viviano, president, and Peter R. Viviano, vice-president.

**ALLEGED SHIPMENT:** On or about August 8, 12, 15, and 20, 1947, from the State of Missouri into the States of Colorado, Arkansas, Tennessee, and Illinois.

**LABEL, IN PART:** "De Luxe Elbow Macaroni," "Belmont Brand \* \* \* Elbow Macaroni," "Gragnano De Luxe Style \* \* \* Mezzani," "Pure Alimentary Paste Genova Style," "Viviano \* \* \* Baby Pastina," or "Gragnano De Luxe Style \* \* \* Magliettine Elbow Macaroni [or 'Spaghetti'] "CAP Brand Med. Egg Noodle."