

LABEL, IN PART: "Our Family Macaroni [or "Spaghetti," or "Pure Egg Noodles"]."

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

DISPOSITION: September 8, 1948. Default decree of condemnation and destruction.

13396. Adulteration and misbranding of egg noodles. U. S. v. 39 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 24893, 24900. Sample Nos. 8131-K, 8308-K.)

LIBELS FILED: June 21 and 24, 1948, District of Connecticut and District of New Jersey.

ALLEGED SHIPMENT: On or about May 13 and 19, 1948, by the Chasin Noodle Co., from Brooklyn, N. Y.

PRODUCT: Egg Noodles. 39 cases, each containing 24 packages, and 29 cases, each containing 12 packages, at Bridgeport, Conn., and 72 dozen packages at Newark, N. J.

LABEL, IN PART: "Chasin's Pure Egg Noodles."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg, had been in whole or in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for egg noodles, since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk; and, Section 403 (e) (2), it (Bridgeport lot) failed to bear a label containing an accurate statement of the quantity of the contents. (The cartons contained less than "8 Ounces" or "One Pound," the declared weight.)

DISPOSITION: July 20 and August 16, 1948. Default decrees of condemnation. The product was ordered delivered to a charitable institution.

13397. Adulteration of canned spaghetti. U. S. v. 607 Cases * * *. (F. D. C. No. 22501. Sample No. 52200-H.)

LIBEL FILED: February 11, 1947, District of Minnesota.

ALLEGED SHIPMENT: On or about October 15, 1946, by the Archer Products Co., from Fort Worth, Tex.

PRODUCT: 607 cases, each containing 48 15¼-ounce cans, of spaghetti at Minneapolis, Minn.

LABEL, IN PART: "Schicks Castle Brand Spaghetti with Tomato Sauce and Spices * * * Packed By Schick Products Company Fort Worth, Texas."

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

DISPOSITION: June 2, 1947. Archer Products Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law by segregation of the unfit portion, under the supervision of the Food and Drug Administration. The reconditioning operations resulted in the destruction of 108 cans, which consisted of swells and springers.

13398. Misbranding of macaroni. U. S. v. 10 Cases * * *. (F. D. C. No. 24591. Sample No. 6091-K.)

LIBEL FILED: April 8, 1948, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 2, 1948, by Gioia Macaroni Co., Inc., from Rochester, N. Y.

PRODUCT: 10 cases, each containing 20 packages, of macaroni at Pittsburgh, Pa.

LIBEL, IN PART: "Net Weight One Pound Gioia Brand Small Shells Macaroni Products."

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. (The article was short-weight.)

DISPOSITION: August 10, 1948. Default decree of condemnation and destruction.