

**DISPOSITION:** December 23, 1949. Pillsbury Mills, Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the court ordered that the products be released under bond for segregation of the unfit portions and their conversion into animal feed, under the supervision of the Food and Drug Administration.

### MACARONI AND NOODLE PRODUCTS

**15759. Adulteration of macaroni products. U. S. v. Italo-French Produce Co. and Elmer A. Teyssier. Pleas of guilty. Fine of \$500 against company and \$100 against individual, plus costs. (F. D. C. No. 28183. Sample Nos. 68904-K, 68905-K, 68907-K, 68909-K.)**

**INFORMATION FILED:** November 22, 1949, Western District of Pennsylvania, against the Italo-French Produce Co., a corporation, Pittsburgh, Pa., and Elmer A. Teyssier, secretary-treasurer of the corporation.

**ALLEGED SHIPMENT:** On or about September 14, 1949, from the State of Pennsylvania into the State of West Virginia.

**LABEL, IN PART:** (Packages) "Arco Brand The Cream of Real Durum Wheat" and "Arco Brand Macaroni Products."

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

**DISPOSITION:** January 18, 1950. Pleas of guilty having been entered, the court imposed a fine of \$500 against the company and a fine of \$100 against the individual, plus costs.

**15760. Adulteration and misbranding of enriched macaroni. U. S. v. 24 Cases \* \* \*. (F. D. C. No. 23858. Sample No. 32006-K.)**

**LIBEL FILED:** October 22, 1947, Territory of Hawaii.

**ALLEGED SHIPMENT:** On or about September 23, 1947, by Alexander & Baldwin, Ltd., from San Francisco, Calif.

**PRODUCT:** 24 cases, each containing 24 8-ounce packages, of enriched macaroni at Honolulu, T. H.

**LABEL, IN PART:** "Royal Vitamin Enriched Macaroni Ingredients: Semolina, Vitamin B<sub>1</sub>, Vitamin B<sub>2</sub>, Niacin, Iron Pyrophosphate Net Weight 8 Ounces California Macaroni Co. San Francisco."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin B<sub>1</sub> and iron, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), the product 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 (vitamin B<sub>1</sub>) 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" conveyed the misleading impression that macaroni had 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% \* \* \* Iron 32.5%" was

false and misleading since the product did not contain or provide the stated proportions of the minimum daily requirements for vitamin B<sub>1</sub> and iron.

**DISPOSITION:** August 19, 1948. Default decree entered. The court ordered that the product be delivered to charitable or Governmental institutions, after certification as to its fitness for human consumption.

#### MISCELLANEOUS CEREALS AND CEREAL PRODUCTS\*

**15761. Adulteration of popcorn. U. S. v. 14 Bags \* \* \*. (F. D. C. No. 28602. Sample No. 52598-K.)**

**LIBEL FILED:** December 27, 1949, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about October 7, 1949, by the Ramsey Popcorn Co., from Ramsey, Ind.

**PRODUCT:** 14 100-pound bags of popcorn at Louisville, Ky.

**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, insect fragments, and rodent hair fragments.

**DISPOSITION:** February 1, 1950. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

**15762. Adulteration of rice. U. S. v. 9 Bags \* \* \* (and 4 other seizure actions). (F. D. C. Nos. 27821, 27822. Sample Nos. 60534-K to 60538-K, incl.)**

**LIBELS FILED:** September 16 and October 13, 18, and 19, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about March 3 and December 1, 1948, from Harrisburg, Ark., and Dos Palos, Calif.

**PRODUCT:** 295 100-pound bags of rice at Chicago, Ill., in possession of Wakem & McLaughlin, Inc.

**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, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 10 and 16, 1950. Default decrees of condemnation and destruction.

**15763. Adulteration of cream of maize. U. S. v. 30 Bags \* \* \*. (F. D. C. No. 27981. Sample No. 54158-K.)**

**LIBEL FILED:** November 16, 1949, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about September 20, 1949, from Decatur, Ill.

**PRODUCT:** 30 50-pound bags of cream of maize at Dallas, Tex., in possession of the American Products Co.

**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 rodent pellets; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

\*See also No. 15758.