

**INDICTMENT RETURNED:** April 29, 1949, Western District of Washington, against Golden Grain Macaroni Co., Inc., Seattle, Wash., and Paskey Dedomenico, president.

**ALLEGED SHIPMENT:** On or about August 11, 16, 20, 25, and 27, 1948, from the State of Washington into the Territory of Hawaii and the States of Montana, Idaho, and Oregon.

**LABEL, IN PART:** (Portion) "Golden Grain Elbo Macaroni [or "Enriched Macaroni Products," "Plain Chinese Noodles," "100% No. 1 Semolina Elbow Macaroni," or "Quick Cooking \* \* \* Enriched Spaghetti"]."

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

**DISPOSITION:** April 15, 1950. Plea of not guilty having been entered, the case was tried before the court, and a verdict of acquittal was entered for both defendants.

This matter was tried simultaneously with three consolidated seizure actions involving spaghetti and macaroni products which had been shipped by the defendant, in which case, judgment was entered for the Government.

**16711. Adulteration of macaroni and noodle products. U. S. v. 100 Cases (and 3 other seizure actions). (F. D. C. Nos. 25639, 25640, 25799. Sample Nos. 37850-K to 37852-K, incl., 37858-K to 37872-K, incl.)**

**LIBELS FILED:** September 16 and October 5, 1948, Territory of Hawaii and Western District of Washington.

**ALLEGED SHIPMENT AND OFFER FOR SHIPMENT:** By Golden Grain Macaroni Co., Inc. Shipment on or about August 17 and 23, 1948, from Seattle, Wash., to Honolulu, T. H.; offer for shipment at Seattle, Wash., on or about September 30, 1950.

**PRODUCT:** Macaroni and noodle products. 100 10-pound cases, 250 12-pound cases, and 24 cases, each containing 24 8-ounce packages, at Honolulu, T. H.; and 345 cartons, each containing 3 to 12 pounds, at Seattle, Wash.

The Seattle lot was offered for shipment in interstate commerce from Seattle to Honolulu.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of 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:** The shipper having appeared as claimant, the cases at Honolulu were consolidated with the case in the Western District of Washington and were tried before the court, together with a criminal prosecution charging violation of Section 301 (a) by Golden Grain Macaroni Co., Inc., and its president. On April 15, 1950, the court entered judgment for the Government in the seizure actions, and on May 8, 1950, decrees of condemnation were entered and the products were ordered destroyed. The defendants in the criminal case were acquitted.