

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin B<sub>1</sub>, riboflavin, iron, and niacin, in one of the shipments, vitamin B<sub>1</sub>, riboflavin, and niacin, in one of the shipments, and vitamin B<sub>1</sub> and riboflavin, in the third shipment, had been in part omitted and abstracted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for enriched self-rising flour since the regulations prescribing a definition and standard of identity provide that enriched self-rising flour shall contain in each pound, among other nutritional substances, not less than 2 mg. of thiamine (vitamin B<sub>1</sub>), not less than 1.2 mg. of riboflavin, not less than 16 mg. of niacin, and not less than 13 mg. of iron, whereas one shipment of the article contained less vitamin B<sub>1</sub>, riboflavin, niacin, and iron than required; one shipment contained less vitamin B<sub>1</sub>, riboflavin, and niacin than required; and one shipment contained less vitamin B<sub>1</sub> and riboflavin than required.

Further misbranding, Section 403 (a), the statement "8 oz. of Enriched Self-Rising Flour contains not less than the following proportions of the minimum daily requirements of Vitamin B<sub>1</sub> 100%, Riboflavin 30%, Iron 65% \* \* \* and 8 mg. of Niacin" borne on the label of one of the shipments and similar statements on the labels of the other shipments were false and misleading since all the shipments contained less than the declared proportions of the minimum daily requirements for vitamin B<sub>1</sub> and riboflavin; two of the shipments contained less than the declared amount of niacin; and one of the shipments contained less than the declared proportion of the minimum daily requirements for iron.

**DISPOSITION:** November 7, 1952. A plea of guilty having been entered, the court imposed a fine of \$83 against the defendant on each of the first 5 counts of the information and a fine of \$85 on the sixth count, a total fine of \$500.

### MACARONI AND NOODLE PRODUCTS

**19613. Adulteration of elbow macaroni and mixed nuts. U. S. v. 9 Cases, etc. (F. D. C. No. 34481. Sample Nos. 43928-L, 43930-L.)**

**LABEL FILED:** December 11, 1952, District of Kansas.

**ALLEGED SHIPMENT:** On or about December 12, 1951, and October 30, 1952, from Kansas City, Mo.

**PRODUCT:** 9 cases, each containing 12 2-pound bags, of elbow macaroni, and 9 cases, each containing 24 2-pound bags, of mixed nuts, at Iola, Kans., in the possession of the Iola Wholesale Grocery Co.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of rodent urine; and, Section 402 (a) (4), the products had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 2, 1953. Default decree of condemnation and destruction.

**19614. Adulteration of egg noodles. U. S. v. 20 Cases \* \* \*. (F. D. C. No. 34196. Sample No. 22608-L.)**

**LABEL FILED:** November 7, 1952, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about May 5, 1952, by the American Beauty Macaroni Co., from Kansas City, Mo.

**PRODUCT:** 20 cases, each containing 12 10-ounce bags, of egg noodles at Houston, Tex.

**LABEL, IN PART:** (Bag) "American Beauty Highest Quality Pure Egg Noodles \* \* \* Contains 5½% Egg Solids."

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

**DISPOSITION:** December 23, 1952. Default decree of condemnation and destruction.

**19615. Adulteration and misbranding of egg noodles. U. S. v. 21 Cases \* \* \* (F. D. C. No. 34195. Sample No. 44171-L.)**

**LABEL FILED:** November 3, 1952, Western District of Oklahoma.

**ALLEGED SHIPMENT:** On or about August 27, 1952, by the American Beauty Macaroni Co., from Wichita, Kans.

**PRODUCT:** 21 cases, each containing 12 10-ounce bags, of egg noodles at Oklahoma City, Okla.

**LABEL, IN PART:** (Bag) "American Beauty Krinkly Non Skid 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 (a), the label statement "Contains 5½% Egg Solids" was false and misleading as applied to the article, which contained less than 5½ percent of egg or egg yolk solids; and, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for noodles since the total solids of the article contained less than 5½ percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

**DISPOSITION:** December 15, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for its use and not for sale.

#### MISCELLANEOUS CEREALS

**19616. Adulteration of unpopped popcorn in oil. U. S. v. 39 Cases, etc. (F. D. C. No. 34474. Sample Nos. 59220-L, 59221-L.)**

**LABEL FILED:** January 5, 1953, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about November 19 and 29, 1952, by Rose City Foods, Inc., from Thomasville, Ga.

**PRODUCT:** 73 cases, each containing 24 11½-ounce jars, of unpopped popcorn in oil at Columbia, S. C.

**LABEL, IN PART:** (Jar) "Rose Kist Pour N'Pop Popcorn & Oil."

**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.

**DISPOSITION:** February 12, 1953. Default decree of condemnation and destruction.

**19617. Adulteration of unpopped popcorn in oil. U. S. v. 25 Cases \* \* \* (F. D. C. No. 34466. Sample No. 59222-L.)**

**LABEL FILED:** January 2, 1953, Western District of North Carolina.

**ALLEGED SHIPMENT:** On an unknown date, by the Colonial Stores, from Columbia, S. C.