

parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

20256. Adulteration of spaghetti. U. S. v. 334 Boxes * * *. (F. D. C. No. 34686. Sample No. 58826-L.)

LIBEL FILED: February 27, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 27, 1953, by Milwaukee Macaroni Co., Inc., from Milwaukee, Wis.

PRODUCT: 334 60-pound boxes of spaghetti at Chicago, Ill.

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 insect parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 14, 1953. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

20257. Adulteration and misbranding of egg noodles. U. S. v. 47 Cases * * *. (F. D. C. No. 34064. Sample No. 10573-L.)

LIBEL FILED: September 25, 1952, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 4, 1952, by St. Louis Macaroni Mfg. Co., Inc., from St. Louis, Mo.

PRODUCT: 47 cases, each containing 12 16-ounce packages, of egg noodles at South Bend, Ind.

LABEL, IN PART: "Kris-Kros * * * Noodle * * * A Pur Egg Product."

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

Misbranding, Section 403 (a), the label statement "Contents: * * * not less than 5½% Pure Egg Yolk" was false and misleading as applied to the product, which contained less than 5.5 percent of 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 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

DISPOSITION: May 26, 1953. St. Louis Macaroni Mfg. Co., Inc., having appeared as claimant and the facts of the case having been presented to the court by the claimant and by the Government, the court entered a decree of destruction and ordered that such destruction be carried out by delivery of the product to a charitable institution.

MISCELLANEOUS CEREALS*

20258. Adulteration of brewers rice. U. S. v. 600 Bags * * *. (F. D. C. No. 34387. Sample No. 54347-L.)

LIBEL FILED: December 2, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 28, 1952, by the Arkansas Rice Growers Association, from De Witt, Ark.

PRODUCT: 600 100-pound bags of brewers rice at Chicago, Ill.

*See also No. 20254.

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 insect parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 8, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be converted into stock feed, under the supervision of the Federal Security Agency.

On July 2, 1953, an amended decree was entered providing for the cleaning of the rice, for the release of the portion found fit for human consumption, and for the conversion of the unfit portion into animal feed. 415 100-pound bags of the rice were salvaged by the cleaning operation and the remainder denatured for use as animal feed.

20259. Adulteration of wheat. U. S. v. 116,200 Pounds * * *. (F. D. C. No. 34506. Sample No. 48729-L.)

LIBEL FILED: December 20, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about November 25, 1952, by the Bowman Farmers Union Elevator, from Bowman, N. Dak.

PRODUCT: 116,200 pounds of wheat at Minneapolis, Minn.

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 dead rats and rodent pellets.

DISPOSITION: May 12, 1953. The Farmers Union Grain Terminal Association, St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing by cleaning and scouring, under the supervision of the Department of Health, Education, and Welfare. As a result of the reprocessing operations, 2,120 pounds of the product were found unfit.

20260. Adulteration of wheat. U. S. v. 111,600 Pounds * * *. (F. D. C. No. 34510. Sample No. 20047-L.)

LIBEL FILED: December 23, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about December 6, 1952, by the Farmers Union Grain Terminal Association, from New Salem, N. Dak.

PRODUCT: 111,600 pounds of wheat at Minneapolis, Minn.

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 excreta.

DISPOSITION: May 11, 1953. The Farmers Union Grain Terminal Association, St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing by cleaning and scouring, under the supervision of the Department of Health, Education, and Welfare. As a result of the reprocessing operations, 4,190 pounds of the product were segregated for sale as animal feed.

20261. Adulteration of wheat. U. S. v. 101,030 Pounds * * *. (F. D. C. No. 34516. Sample No. 19669-L.)

LIBEL FILED: December 30, 1952, District of Minnesota.