

LABEL, IN PART: "Berlin's Best Flour."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, mites, an insect seta, a cast skin, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 19, 1948. Pleas of guilty having been entered, the defendants were each fined \$100, plus costs.

12846. Adulteration of phosphated flour and corn meal. U. S. v. Moore Milling Company, Inc. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 23594. Sample Nos. 85637-H to 85641-H, incl.)

INFORMATION FILED: November 14, 1947, Western District of Virginia, against the Moore Milling Co., Inc., Salem, Va.

ALLEGED SHIPMENT: On or about May 1, 27, 29, and 31, 1947, from the State of Virginia into the State of West Virginia.

LABEL, IN PART: "Sunny Land * * * Phosphated Flour," or "Fresh Water Ground Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect parts and fragments, mites, insect larvae, rodent excreta pellet fragments, rodent hair fragments, and a feather fragment; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 7, 1948. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$300 was imposed.

12847. Adulteration of whole wheat flour. U. S. v. 125 Bags * * *. (F. D. C. No. 23069. Sample No. 70027-H.)

LABEL FILED: June 18, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 6, 1947, by Old Fashioned Millers, Inc., from St. Paul, Minn.

PRODUCT: 125 100-pound bags of whole wheat flour at Chicago, Ill.

LABEL, IN PART: "Old-Style 100% Whole Wheat Flour Enright's All O The Wheat."

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

DISPOSITION: October 8, 1947. Old Fashioned Millers, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

MACARONI AND NOODLE PRODUCTS

12848. Adulteration of macaroni products. U. S. v. Roma Macaroni Factory, a corporation, and Albert Martinelli and Dominic Louis Gerbo. Pleas of not guilty. Trial before a jury. During trial, pleas of not guilty withdrawn by Roma Macaroni Factory and Dominic Louis Gerbo, and pleas of guilty entered on their behalf; motion for dismissal of case against Albert Martinelli. Roma Macaroni Factory fined \$10,000; Dominic Louis Gerbo fined \$5,000; and action against Albert Martinelli dismissed. (F. D. C. No. 23337. Sample Nos. 62462-H, 62488-H, 62489-H.)

INDICTMENT RETURNED: September 17, 1947, Northern District of California, against the Roma Macaroni Factory, a corporation, San Francisco, Calif., and Albert Martinelli, superintendent, and Dominic Louis Gerbo, production manager.

ALLEGED SHIPMENT: On or about December 27, 1946, from the State of California into the State of Nevada.

LABEL, IN PART: "Semolina Ditalini" (and other style macaroni products).

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 frag-