hearing on the motion for preliminary injunction, default was noted and judgment was entered, ordering that the defendant and all acting upon his behalf be perpetually enjoined and restrained from in any manner or by any device, directly or indirectly, shipping or preparing for shipment in interstate commerce bakery products which the defendant had manufactured.

4728. Adulteration of bakery products. U. S. v. The Cortland Baking Co. Plea of guilty. Fine, $500. (F. D. C. No. 8776. Sample Nos. 17859–F, 17861–F, 17862–F, 17868–F, 17871–F.)

Hair fragments resembling rodent hairs, insect fragments, and small pieces of wood were found in samples taken from these products.

On February 24, 1943, the United States attorney for the Northern District of New York filed an information against the Cortland Baking Co., a corporation, at Cortland, N. Y., alleging shipment on or about October 8, 1942, from the State of New York into the State of Pennsylvania of a quantity of bakery products that were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they may have become contaminated with filth. The articles were labeled in part: "Cobakco Bread Old Fashioned Rye [or "White Sliced," "Pioneer Brand," "Delicious Cookies," or "Donuts".]."

On May 4, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $500.

4729. Adulteration and misbranding of pies. U. S. v. 1,376 Cellophane-Wrapped Pies. Default decree of condemnation and destruction. (F. D. C. No. 9478. Sample No. 17100–F.)

On March 4, 1943, the United States attorney for the Eastern District of New York filed a libel against 1,376 cellophane-wrapped pies at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 23, 1943, by Darcy's Pies from Chicopee Falls, Mass.; and charging that it was adulterated and misbranded. The article was labeled in part: "A Grand Pie 5¢ Pineapple."

The article was alleged to be adulterated in that a valuable constituent, pineapple, had been in whole or in part omitted therefrom, and in that pie filling consisting essentially of artificially colored cornstarch paste with little or no fruit, had been substituted wholly or in part for pineapple filling.

The article was alleged to be misbranded in that the statement "A Grand Pie * * * Pineapple" was false and misleading as applied to a pie containing a filling consisting essentially of artificially colored cornstarch paste with little or no fruit.

On April 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4730. Adulteration of ginger snaps and macaroon snaps. U. S. v. 23 Cases of Ginger Snaps and 49 Cases of Macaroon Snaps. Default decrees of condemnation and destruction. (F. D. C. No. 9092. Sample Nos. 4479–F, 4480–F.)

These products contained rodent hairs.

On December 29, 1942, the United States attorney for the Middle District of Tennessee filed libels against 49 cases, each containing 25 pounds, of macaroons and 23 cases, each containing 28½ pounds, of ginger snaps at Nashville, Tenn., alleging that the articles had been shipped in interstate commerce on or about November 14, 1942, by the Runkle Co., from Kenton, Ohio; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

On February 11, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

4731. Misbranding of cookies and macaroons. U. S. v. 21 Boxes of Cookies and 22 Boxes of Macaroons. Default decree of condemnation. Products ordered distributed to charitable institutions. (F. D. C. No. 9196. Sample Nos. 18719–F, 18720–F.)

These products were short of the declared weight.

On or about January 18, 1943, the United States attorney for the District of Connecticut filed a libel against 21 boxes of cookies and 22 boxes of macaroons at Bridgeport, Conn., alleging that the articles had been shipped in interstate commerce on or about November 12, 1942, by the Liberty Brand Cookie Co., Inc., from Corona, Long Island, N. Y.; and charging that they were misbranded in