On January 9, 1943, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $250.

5419. Adulteration of cakes. U. S. v. Turner Manufacturing Company, Inc. Plea of nolo contendere. Imposition of sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 9652. Sample Nos. 32642–F, 32643–F, 32647–F, 32649–F.)

On June 17, 1943, the United States attorney for the Northern District of Georgia filed an information against the Turner Manufacturing Co., Inc., Atlanta, Ga., alleging shipment on or about March 4 and 8, 1943, from the State of Georgia into the State of Tennessee of quantities of bakery products that were adulterated. The articles were labeled in part: "Merita Pineapple Pound," or "Merita * * * Dainty Biscuits."

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy substances by reason of the presence of one or more of the following types of filth: Rodent excreta fragments, rodent hair fragments, and insect fragments. They were alleged to be adulterated further in that they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

On September 13, 1943, a plea of nolo contendere having been entered on behalf of the defendant, the court suspended imposition of sentence and placed the defendant on probation for 1 year.

5420. Adulteration of crackers. U. S. v. Hiram P. Swinson (Swinson Food Products). Plea of nolo contendere. Fine, $100. (F. D. C. No. 9669. Sample Nos. 28800–F, 35334–F, 35335–F.)

Examination of these products showed the presence of filth such as rodent excreta and rodent hair fragments.

On July 8, 1943, the United States attorney for the Western District of North Carolina filed an information against Hiram P. Swinson, trading as Swinson Food Products, at Charlotte, N. C., alleging shipment on or about February 20 and March 20, 1943, from the State of North Carolina into the State of South Carolina of quantities of crackers 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 might have become contaminated with filth. The articles were labeled in part: "S&P Tas–T–Cheez," "S&P Sq.–Cheez–Toastie," or "S&P Choc–Cream."

On October 7, 1943, a plea of nolo contendere was entered on behalf of the defendant. On April 6, 1944, the court imposed a fine of $100.

5421. Adulteration of crackers. U. S. v. United Biscuit Company of America (Union Biscuit Company, Division of United Biscuit Company of America). Plea of nolo contendere. Fine, $2,000. (F. D. C. No. 9620. Sample Nos. 5866–F to 5869–F, incl.)

On May 1, 1943, the United States attorney for the Eastern District of Missouri filed an information against the Union Biscuit Company, a corporation, operating under the name Union Biscuit Company, Division of the United Biscuit Company of America. On June 28, 1943, the Union Biscuit Company, Division of the United Biscuit Company of America, a corporation, entered a special appearance and a plea denying that it was a corporation. On September 20, 1943, an amended information was filed, naming the United Biscuit Company of America, a corporation, operating under the name of Union Biscuit Company, Division of the United Biscuit Company of America, as defendant. It was alleged in the information, as amended, that the defendant had shipped, within the period from on or about December 14, 1942, to on or about January 5, 1943, from the State of Missouri into the State of Tennessee quantities of crackers which were adulterated. The article was labeled in part: "Princess Crackers," "Honey Flavored Graham Crackers," or "Supreme Che–Zo–Crackers."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence therein of rodent hairs and insect fragments, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

On December 16, 1943, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $500 on each of the 4 counts, a total fine of $2,000.