

by regulations and it failed to conform to such definition and standard; Section 403(i), the article was not subject to the provisions of Section 403(g) and (1) its label failed to bear the common or usual name of the article; and (2) the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; and Section 403(k), the article contained artificial coloring, and failed to bear labeling stating that fact.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

29101. Apple turnovers and fried apple pies. (F.D.C. No. 48879. S. Nos. 2-384 V, 17-132 V, 36-414 V.)

INFORMATION FILED: 11-21-63, E. Dist. Tenn., against Mercer Baking Co., Inc., Chattanooga, Tenn.

SHIPPED: Between 10-30-62 and 11-6-62, from Tennessee to Georgia and Mississippi.

LABEL IN PART: "Mercer's Apple turnover 10¢ Serve Hot or Cold Net Weight 3 OZ. MERCER'S INC CHATTANOOGA, TENN.," and "APPLE HARDIN'S FRIED PIE 10¢ DISTRIBUTED BY HARDIN'S BAKERIES Jackson·Meridian·Tupelo·Columbus, Miss. Net Wt. 3 Oz."

CHARGE: 402(a)(3)—one lot of apple turnovers contained insects and insect parts, one lot of apple turnovers and the fried pies contained insect parts; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-21-63. \$200 fine.

29102. Cheese corn. (F.D.C. No. 48108. S. No. 62-558 T.)

QUANTITY: 102 cases, each containing 12 bags, at Haverhill, Mass.

SHIPPED: 8-9-62 and 8-16-62, from Lincoln, R.I., by New England Popcorn Co.

LABEL IN PART: (Bag) "Rex * * * Cheese Corn * * * Ingredients * * * Net Wt. 3¼ Oz. * * * Rex Potato Chip Co. Haverhill, Massachusetts."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight. The average net weight found was 3.61 oz. The average short weight was found to be 0.14 oz., or 3.7 percent.

LIBELED: 9-17-62, Dist. Mass.

CHARGE: 403(e)(2)—when shipped, the label of the article failed to bear an accurate statement of the quantity of contents.

DISPOSITION: 10-23-62. Default—delivered to a public institution for its use.

CORNMEAL**

29103. Cornmeal. (F.D.C. No. 47368. S. Nos. 880/81 T, 884/86 T.)

INFORMATION FILED: 8-7-62, M. Dist. Ga., against Eelbeck Milling Co., Inc., Columbus, Ga., and Harold D. Buck, president.

SHIPPED: 12-18-61, from Columbus, Ga., to Phenix City, Ala.

*See also No. 29109.

**See also Nos. 29110, 29135.