**28803. Venus sesame squares (wafers).** (F.D.C. No. 48432. S. No. 4-351 V.)

QUANTITY: 24 cases, each containing 12, 6-oz. pkgs., at Washington, D.C.

SHIPPED: 10-22-62, from Boston, Mass., by Venus Wheat Wafers, Inc.

LABEL IN PART: (Pkg.) "Venus Toasted Sesame Squares * * * Venus Wheat Wafers, Inc., Boston, Mass."

LIBELED: 12-17-62, Dist. Columbia.

CHARGE: 402(a)(4)—prepared and packed under insanitary conditions when shipped.

DISPOSITION: 2-6-63. Default—delivered to a public institution for use as animal food.

**28804. Devil's food cake.** (F.D.C. No. 48423. S. No. 5-481 V.)

QUANTITY: 235 cases, each containing 100, 1-oz. pkgs., at Baltimore, Md.

SHIPPED: 12-4-62, from Sioux City, Iowa, by Johnson Biscuit Co.

LABEL IN PART: (Pkg.) "Austin's Devilsfood * * * Distributed by Austin Biscuit Company, Baltimore 3, Md. Division Fairmont Foods Company."

RESULTS OF INVESTIGATION: Examination showed the article to be a chocolate-colored cake wrapped in clear cellophane, on which the name and address of the distributor, and the quantity of contents and ingredients statements were printed in dark red-colored ink, and which were inconspicuous against the product in the background.

LIBELED: 12-18-62, Dist. Md.

CHARGE: 403(f)—when shipped, the information required to appear on the label under 403(e) (1) and (2) and 403(i)(2), namely, the name and address of the manufacturer, packer, or distributor, the quantity of contents statement, and the ingredients statement, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 2-14-63. Default—destruction.

**28805. Rolls.** (F.D.C. No. 47367. S. Nos. 92-826/8 R, 42-161 T, 42-164 T, 42-166 T.)

INFORMATION FILED: 9-26-62, E. Dist. Pa., against Morabito Baking Co., Inc., Norristown, Pa.

ALLEGED VIOLATIONS: On 3-29-60, the defendant caused to be given to a firm engaged in the business of shipping rolls into interstate commerce, a guaranty to the effect that no article shipped by the corporation under the guaranty would be adulterated. On 8-14-61 and 8-15-61, the defendant caused quantities of adulterated rolls to be shipped to the holder of the guaranty.

CHARGE: 402(a)(3)—contained whole insects and insect fragments; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-5-63. $500 fine.