

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

DISPOSITION: 10-19-61. Default—delivered to charitable institutions.

27602. Coconut Crispies. (F.D.C. No. 46454. S. No. 79-948 R.)

QUANTITY: 32 cases, 12 boxes each, at Pennsauken, N.J.

SHIPPED: 7-11-61, from Lowell, Mass., by Megowen Educator Food Co.

LABEL IN PART: (Box) "E Coconut Crispies Net Wt. 11 $\frac{1}{4}$ Ozs. * * * Megowen Educator Food Co. Lowell, Mass."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 9-18-61, Dist. N.J. ✓

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

DISPOSITION: 10-27-61. Default—delivered to a charitable institution.

27603. Coffeecake, butter cake, and strawberry turnovers. (F.D.C. No. 45934. S. Nos. 73-105/6 R, 73-108 R.)

QUANTITY: 983 cases, 12 14 $\frac{1}{2}$ -oz. aluminum foil containers each, of coffeecake; 1,587 cases, 12 14 $\frac{1}{2}$ -oz. aluminum foil containers each, of butter cake; and 684 cases, 12 12-oz. ctns. each, of strawberry turnovers, at Los Angeles, Calif.

SHIPPED: (Coffeecake and butter cake) 3-2-61, from Denmark, by Gotze; Reje-og Hummerindustri; and (strawberry turnovers) 2-3-61, from Denmark, by Eventyr Isen (Scan-Bakers A/S).

LABEL IN PART: (Cover) "Imported From Denmark * * * Danish Bakers Coffee Cake [or "Butter Cake"] * * * Made From Butter * * * Over $\frac{1}{4}$ Lb. Butter In Each Cake * * * Danish Bakers Inc., Los Angeles 11, California" and (ctn.) "4 Danish strawberry turnovers Made with pure Danish Butter * * * Imported from Denmark * * * Packed in Denmark For Danish Bakers, Inc., Los Angeles-New York."

RESULTS OF INVESTIGATION: Examination of the coffeecake and butter cake showed that they contained less than one-quarter pound of butter, as declared on their labels; and examination of the turnovers showed that approximately 10 percent of the total fat content was butterfat.

LIBELED: 6-6-61, S. Dist. Calif. ✓

CHARGE: Coffeecake and butter cake, 402(b) (1)—when shipped, the valuable constituent, namely, butter, had been in part omitted or abstracted from the articles; 402(b) (2)—fat other than butterfat had been substituted in part for butter; 403(a)—the label statement "Over $\frac{1}{4}$ Lb. Butter In Each Cake" was false and misleading; and 403(i) (2)—the articles were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of such ingredients, since fat other than butterfat had not been declared on their labels.

Strawberry turnovers, 403(a)—when shipped, the label statement "Made with pure Danish Butter" was false and misleading as applied to an article which contained butter and fat other than butterfat; and 403(f)—the name and address of the manufacturer, packer, or distributor, and the ingredient statement, were not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices, in the

labeling) as to render them likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 10-31-61. Default—delivered to charitable institutions.

27604. Buttermilk biscuits. (F.D.C. No. 46349. S. No. 16-310 T.)

QUANTITY: 153 cases, 48 4-oz. cans each, at Louisville, Ky.

SHIPPED: 9-21-61, from Jeffersonville, Ind., by Refrigerated Dough Products, Inc.

LABEL IN PART: (Can) "Dixie's Pride 5 Buttermilk Biscuits."

LIBELED: 9-26-61, W. Dist. Ky. ✓

CHARGE: 403(e)(1)—when shipped, the article failed to bear a label containing the name and address of the manufacturer, packer, or distributor.

DISPOSITION: 9-29-61. Default—delivered to a charitable institution.

FLOUR

27605. Flour. (F.D.C. No. 46345. S. Nos. 9-045/7 T.)

QUANTITY: 800 100-lb. bags at Buffalo, N.Y.

SHIPPED: 8-9-61, from Bradford, Pa.

RESULTS OF INVESTIGATION: Examination showed that the article contained a food additive, namely, inorganic bromides.

LIBELED: 9-22-61, W. Dist. N.Y.; amended 10-17-61.

CHARGE: 402(a)(2)(C)—while in interstate commerce, the article contained a food additive, namely, inorganic bromides, which is unsafe within the meaning of 409, since it and its intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 11-9-61. Default—destruction.

27606. Flour. (F.D.C. No. 46344. S. No. 9-049 T.)

QUANTITY: 800 100-lb. bags at Pittsburgh, Pa.

SHIPPED: 9-15-61, from Buffalo, N.Y.

RESULTS OF INVESTIGATION: Examination showed that the article contained a food additive, namely, inorganic bromides.

LIBELED: 9-21-61, W. Dist. Pa.; amended 9-26-61, 9-27-61, and 10-9-61.

CHARGE: 402(a)(2)(C)—while in interstate commerce, the article contained a food additive, namely, inorganic bromides, which is unsafe within the meaning of 409, since it and its intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 11-2-61. Default—destruction.

27607. Flour. (F.D.C. No. 46468. S. No. 9-048 T.)

QUANTITY: 800 100-lb. bags at Jersey City, N.J.

SHIPPED: Prior to 7-17-61, from Buffalo, N.Y.

RESULTS OF INVESTIGATION: Examination showed that the article contained a food additive, namely, inorganic bromides.

LIBELED: 9-25-61, Dist. N.J. ✓