

capsules, beetles, storage insect fragments, storage larvae or capsules, storage larvae fragments, rodent hairs, and feather fragments; and, Section 402 (a) (4), the rolls and a portion of the bread had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (e) (2), the bread failed to bear a label containing an accurate statement of the quantity of the contents, since the loaves weighed less than "1½ Lbs."

DISPOSITION: May 14, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$150 on each of 3 counts in the information, and \$50 on the remaining 2 counts, a total fine of \$550.

7946. Misbranding of bread. U. S. v. Three Brothers Baking Co. Plea of nolo contendere. Fine, \$75. (F. D. C. No. 14246. Sample Nos. 70861-F, 70975-F, 71054-F.)

INFORMATION FILED: January 11, 1945, District of Oregon, against the Three Brothers Baking Co., a corporation, Portland, Oreg.

ALLEGED SHIPMENT: Between the approximate dates of March 10 and June 6, 1944, from the State of Oregon into the State of Washington.

LABEL, IN PART: "Big Boy Bread * * * Sliced White 1½ Lbs."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the loaves of bread weighed less than the declared weight.

DISPOSITION: January 26, 1945. A plea of nolo contendere having been entered on behalf of the corporation, a fine of \$25 on each of 3 counts, a total of \$75, was imposed.

7947. Misbranding of bread. U. S. v. Pioneer Baking Co., Inc. Plea of guilty. Fine, \$1,000. (F. D. C. No. 14271. Sample Nos. 60485-F, 72825-F.)

INFORMATION FILED: January 24, 1945, Northern District of California, against the Pioneer Baking Co., Inc., Sacramento, Calif.

ALLEGED SHIPMENT: On or about May 16 and July 25, 1944, from the State of California into the State of Nevada.

LABEL, IN PART: "Enriched Old Home Sliced White Bread [or "Betsy Ross The Old Fashioned Bread"] * * * Old Home Bakers, Sacramento, Calif."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents, since the loaves of bread were labeled "Net Wt. 1 Lb." or "Net Wt. 1½ Lbs.," and they weighed less than 1 pound or 1½ pounds, respectively.

DISPOSITION: February 21, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500 on each of the 2 counts of the information.

7948. Adulteration of cake and bread. U. S. v. Southern Baking Corporation. Plea of nolo contendere. Fine, \$1,500 and costs; firm placed on 6 months' probation. (F. D. C. No. 12538. Sample Nos. 79411-F, 79412-F, 79415-F, 79417-F.)

INDICTMENT RETURNED: June 24, 1944, Southern District of West Virginia, against the Southern Baking Corporation, Bluefield, W. Va.

ALLEGED SHIPMENT: On or about April 4 and 7, 1944, from the State of West Virginia into the State of Virginia.

LABEL, IN PART: "Dainty Maid Cake 15¢ [or "5¢"]," or "Southern Pride Enriched Bread."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insect fragments, hair fragments resembling rodent hairs, insect larvae, a rodent hair, and a larva cast skin; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 26, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$500 on count 1 and fines of \$1,000 on each of the other 2 counts, together with costs, were imposed. The fines on counts 2 and 3 were suspended and the defendant was placed on 6 months' probation. On February 1, 1945, the defendant having failed to comply satisfactorily by that date with the provisions of the law, the suspension of judgment on count 2 was set aside and the fine of \$1,000 was reinstated. On the

same date and in view of the fact that certain improvements had been made in the condition of the defendant's plant, the fine on the third count was dismissed.

7949. Adulteration of cake and bread. U. S. v. The L. D. Feuchtenberger Bakeries, Inc. Plea of nolo contendere. Fine \$1,000 on each of the 5 counts. Fines on counts 1 and 2 (\$2,000) paid. Payment of fines on last 3 counts suspended and defendant placed on probation for 6 months. Counts 3, 4, and 5 dismissed. (F. D. C. No. 11330. Sample Nos. 46238-F, 46244-F, 46265-F to 46267-F, incl., 46269-F, 46270-F.)

INDICTMENT RETURNED: June 24, 1944, Southern District of West Virginia, against the L. D. Feuchtenberger Bakeries, Inc., Bluefield, W. Va.

ALLEGED SHIPMENT: Between the approximate dates of April 23 and June 18, 1943, from the State of West Virginia into the States of Virginia and Kentucky.

LABEL, IN PART: (Wrappers) "100% Whole Wheat Bread," "All American Butter-Nut Bread [or "Sandwich"]," or "Luxury Cake [or "Luxury Baked"] * * * Chocolate."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hairs and insect fragments; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 26, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$1,000 on each of the 5 counts, plus costs, was imposed. The court suspended payment of the fines on counts 3, 4, and 5, and placed the defendant on 6 months' probation. On February 1, 1945, the court ordered counts 3, 4, and 5 dismissed.

7950. Adulteration of cake. U. S. v. Mi-Oun Cake Co., Jacob J. Holterhoff, and Edward F. Holterhoff. Pleas of guilty. Company fined \$500; sentence suspended against individuals. (F. D. C. No. 12602. Sample Nos. 57050-F, 57051-F, 57053-F, 57056-F, 57057-F, 77909-F.)

INFORMATION FILED: November 21, 1944, District of New Jersey, against the Mi-Oun Cake Co., a partnership, Paterson, N. J., Jacob J. Holterhoff, a partner, and Edward F. Holterhoff, manager.

ALLEGED SHIPMENT: On or about February 8 and 9, 1944, from the State of New Jersey into the States of Pennsylvania and New York.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, cat hair fragments, and human hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 26, 1945. Pleas of guilty having been entered, the partnership was fined \$500, and sentence was suspended against the individual defendants.

7951. Adulteration of cookies and crackers. U. S. v. National Biscuit Co. Plea of nolo contendere. Fine, \$1,600. (F. D. C. No. 14254. Sample Nos. 36576-F to 36578-F, incl., 36599-F, 36733-F, 54037-F, 54038-F, 54040-F, 60291-F, 60292-F, 69843-F to 69845-F, incl., 69858-F, 70002-F.)

INFORMATION FILED: January 15, 1945, District of Colorado, against the National Biscuit Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: Between the approximate dates of March 16 and April 14, 1944, from the State of Colorado into the States of Utah, California, and Wyoming.

LABEL, IN PART: "Old Fashion Ginger Snaps," "Premium Crackers Salted," "Sugar Honey Maid Graham Crackers," "Nabisco Old Fashion Sugar Cookies," "Vanilla Brightons," "Macaroon Cookies," "Snow Flake Sodas Dainty-Crisp," "Nabisco Cracker Meal," or "Dandy Oyster Crackers."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of feather fragments, rodent hairs, insect body parts, insect mandibles, bee parts, insect fragments, a rodent excreta pellet fragment, feather barbules, rodent and cat hair fragments, other animal hair fragments, colored fiber, and nondescript dirt; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.