

PRODUCT: 1 gallon bottle of grape-flavored sirup, 41 cases, each containing 4 1-gallon bottles, of orange-flavored sirup, and 29 cases, each containing 4 1-gallon bottles, of strawberry-flavored sirup at Brunswick, Ga.

LABEL, IN PART: "L & M * * * Grape [or "Orange," or "Strawberry"] Flavored Syrup * * * Distributed by Laurie-Massey Dade City Florida."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the articles; Section 402 (b) (2), fruit-flavored sirups containing saccharin had been substituted in whole or in part for fruit-flavored sirups containing sugar, which the articles were represented to be; and, Section 402 (b) (4), a substance, saccharin, having no food value, had been added to the articles so as to make them appear to be better and of greater quality than they were.

DISPOSITION: January 29, 1947. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

10359. Adulteration and misbranding of enriched bread and honey cracked wheat bread. U. S. v. Jessee Baking Co. Plea of guilty. Fine, \$2,000. (F. D. C. No. 21503. Sample Nos. 48236-H, 48238-H.)

LABEL FILED: January 10, 1947, District of Colorado, against the Jessee Baking Co., a corporation, Sterling, Colo.

ALLEGED SHIPMENT: On or about July 19, 1946, from the State of Colorado into the State of Nebraska.

LABEL, IN PART: "Jessee's If It's Jessees It's Good Bread Enriched," or "Mrs. Jessee's Honey Cracked Wheat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence, in the enriched bread, of a rodent hair, plant tissue, and carbonaceous material, and, in the "Honey Cracked Wheat Bread," of insect parts and insect fragments; and, Section 402 (a) (4), the articles had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (f), certain information required by law to appear on the label was not prominently placed thereon with such conspicuousness as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. The name and place of business of the manufacturer, packer, or distributor, an accurate statement of the quantity of the contents, and the common or usual name of each ingredient of the article were printed indistinctly in small type on the labels of the "Honey Cracked Wheat Bread." The information prescribed by the regulations as necessary in order fully to inform purchasers as to the value of the article for special dietary uses was printed indistinctly and in small type on the labels of the enriched bread.

Further misbranding, Section 403 (k), the enriched bread contained a chemical preservative, sodium propionate, and failed to bear labeling stating that fact; and, Section 403 (a), the label statement "Honey Cracked Wheat" was false and misleading since the bread so labeled actually contained no honey.

DISPOSITION: January 14, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500 on each count, a total fine of \$2,000.

10360. Adulteration of ice cream cones and cups. U. S. v. Maryland Baking Co. and Harry S. Hyman. Pleas of guilty. Fine of \$750 and costs against each defendant. (F. D. C. No. 21493. Sample Nos. 3747-H to 3751-H, incl., 41954-H, 41957-H.)

INFORMATION FILED: December 2, 1946, District of Maryland, against the Maryland Baking Co., Baltimore, Md., and Harry S. Hyman, vice president and plant manager.

ALLEGED SHIPMENT: Between the approximate dates of July 21 and September 7, 1946, from the State of Maryland into the State of Virginia.

*See also No. 10364.

LABEL, IN PART: "Flavor-ized Eat-It-All Cake Cups," "Everbest Cake Cones," "Torch Cup Cake Cones," or "Mabco Cake Cones."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of adult insects, insect laryae and pupae, larval cast skins and head capsules, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: January 17, 1947. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of \$750 and costs against each defendant.

CORN MEAL

10361. Adulteration of corn meal. U. S. v. Gwinn Brothers & Co., a corporation, and James A. Gwinn. Pleas of guilty. Corporate defendant fined \$800; individual defendant placed on probation for 3 years. (F. D. C. No. 16627. Sample No. 52586-H.)

INDICTMENT RETURNED: May 14, 1946, Southern District of West Virginia, against Gwinn Brothers & Co., a corporation, Huntington, W. Va., and James A. Gwinn, secretary and manager.

ALLEGED SHIPMENT: On or about October 22, 1945, from the State of West Virginia into the State of Kentucky.

LABEL, IN PART: "Gwinn's Table Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta.

DISPOSITION: October 31, 1946. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of \$800 on the corporate defendant and ordered that the individual defendant be placed on probation for a period of 3 years.

10362. Adulteration of corn meal. U. S. v. 100 Sacks * * *. (F. D. C. No. 21642. Sample No. 42946-H.)

LIBEL FILED: November 13, 1946, District of Maryland.

ALLEGED SHIPMENT: On or about August 7, 1946, by the Eagle Roller Mill Co., from New Ulm, Minn.

PRODUCT: 100 100-pound sacks of corn meal at Baltimore, Md.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, insect excreta and webbing, and rodent hair fragments.

DISPOSITION: January 2, 1947. Louis Proietti, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured for use as animal feed, under the supervision of the Federal Security Agency.

10363. Adulteration of corn meal. U. S. v. 126 Bags * * *. (F. D. C. No. 22118. Sample No. 54739-H.)

LIBEL FILED: December 23, 1946, Southern District of Georgia.

ALLEGED SHIPMENT: On or about October 3, 1946, by the Western Grain Co., from Birmingham, Ala.

PRODUCT: Corn meal. 78 bags, each containing 8 5-pound paper bags, 32 bags, each containing 12 2-pound paper bags, and 16 100-pound bags at Savannah, Ga.

LABEL, IN PART: "Cabin Home Enriched Old Style-Unbolted Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and rodent excreta fragments.

DISPOSITION: February 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for use as animal feed.