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

PLEA: Nolo contendere.

DISPOSITION: 2–18–57. Corporation—$1,000 fine; individual—$100 fine.

**23652. Bismarcks (bakery product), rolls, cherry pie, and apple pie.** (F. D. C. No. 39387. S. Nos. 33–423/5 M.)

INFORMATION FILED: 2–6–57, Dist. Nebr., against Kuenne's Bakery, Inc., Omaha, Nebr., and Richard D. Riddle (president and treasurer).

SHIPPED: 9–4–56, from Nebraska to Iowa.

CHARGE: 402 (a) (4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 4–22–57. Corporation—$450 fine, plus costs; individual—$150 fine.

**23653. Frozen pizza pies.** (F. D. C. No. 39715. S. No. 54–584 M.)

QUANTITY: 475 cases, 12 9-oz. pies each, at Seattle, Wash.

SHIPPED: 6–18–56, from Newark, N. J.

LIBELED: 12–5–56, W. Dist. Wash.

CHARGE: 402 (a) (3)—contained moldy pies while held for sale.

DISPOSITION: 4–15–57. Default—destruction.

**23654. Bread crumbs.** (F. D. C. No. 38596. S. Nos. 29–478 M, 29–860 M, 29–998 M, 36–710 M, 47–443 M.)

INFORMATION FILED: 4–24–56, Dist. N. J., against Devonsheer Melba Corp., West New York and North Bergen, N. J., Bert Weil, president and secretary, and Frank Pinto, plant manager.

SHIPPED: Between 8–18–55 and 11–25–55, from New Jersey to New York.

LABEL IN PART: (Pkg.) "Bread Crumbs For all type recipes Net Wt. 10 Oz. Avoir. Packed Expressly For H. C. Bohack Co., Inc. * * * Long Island & Brooklyn, N. Y." and "Devonsheer * * * Old English Style Golden Brown Toasted Bread Crumbs * * * Net Weight 10 Oz. Avoir. Manufactured by Devonsheer Melba Corp. West New York, N. J."

CHARGE: 402 (a) (3)—contained insect parts, insect larvae, and rodent hairs; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty by Corporation and Frank Pinto; nolo contendere by Bert Weil.

DISPOSITION: 6–8–56. Corporation fined $1,000; Frank Pinto, $500; and Bert Weil, $1,000, and placed on probation for 1 year.

## FLOUR*

**23655. Flour.** (F. D. C. No. 39405. S Nos. 61–663/4 M.)

INFORMATION FILED: 2–26–57, S. Dist. W. Va., against Kincaid Wholesale Co., a corporation, Spencer, W. Va., and James T. Kincaid, president.

ALLEGED VIOLATION: Between 8–14–56 and 10–9–56, while quantities of flour were being held for sale after shipment in interstate commerce, the defendants caused the flour to be placed in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the flour being adulterated.

*See also No. 23677.