

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

11855. Adulteration of bread and rolls. U. S. v. Klosterman's French Baking Co. and Bernard Frank Klosterman. Pleas of guilty. Total fine \$450. (F. D. C. No. 22055. Sample Nos. 72916-H, 72917-H, 72919-H.)

INFORMATION FILED: April 21, 1947, Southern District of Ohio, against Klosterman's French Baking Co., a partnership, Cincinnati, Ohio, and Bernard Frank Klosterman, a partner.

ALLEGED SHIPMENT: On or about December 11, 1946, from the State of Ohio into the State of Kentucky.

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

DISPOSITION: July 2, 1947. Pleas of guilty having been entered, each defendant was fined \$225.

11856. Adulteration of bread. U. S. v. 9 Cases * * *. (F. D. C. No. 23020. Sample No. 75336-H.)

LIBEL FILED: May 12, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about April 8, 1947, by H. Osmundson, from Minneapolis, Minn.

PRODUCT: 9 cases, each containing 24 13-ounce loaves, of bread at San Francisco, Calif.

LABEL, IN PART: "The Norwegian Style Lefse or Flat Bread."

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 hairs, insects, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 11, 1947. Default decree of condemnation and destruction.

11857. Adulteration of fruit cake. U. S. v. Habib's, Inc. Plea of nolo contendere. Fine of \$500 on one count. Imposition of sentence suspended on remaining counts and defendant placed on 2 years' probation. (F. D. C. No. 22045. Sample Nos. 40136-H, 40570-H, 40571-H, 50133-H, 50330-H, 69908-H.)

INFORMATION FILED: April 24, 1947, Eastern District of Arkansas, against Habib's, Inc., Helena, Ark.

ALLEGED SHIPMENT: Between the approximate dates of October 6 and November 11, 1946, from the State of Arkansas into the States of Tennessee, Texas, Illinois, and Louisiana.

LABEL, IN PART: "Habib's Fruit Cake."

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

DISPOSITION: September 2, 1947. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$500 was imposed on count 1, imposition of sentence was suspended on the remaining counts, and the defendant was placed on 2 years' probation.

11858. Adulteration of fruit cake. U. S. v. 136 Cases * * *. (F. D. C. No. 21879. Sample No. 69908-H.)

LIBEL FILED: January 6, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of October 6 and 31, 1946, by Habib's, Inc., from Helena, Ark.

PRODUCT: 136 cases each containing 12 2-pound fruit cakes at Chicago, Ill.

LABEL, IN PART: "Habib's Fruit Cake."

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 insect excreta; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 20, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

11859. Misbranding of fruit cake. U. S. v. Continental Baking Company. Plea of nolo contendere. Fine, \$800. (F. D. C. No. 22062. Sample Nos. 48062-H, 48789-H to 48791-H, incl.)

INFORMATION FILED: May 2, 1947, District of Colorado, against the Continental Baking Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: On or about November 21 and December 3, 1946, from the State of Colorado into the States of Nebraska, Wyoming, and New Mexico.

LABEL, IN PART: "Net Wt. 2 lbs. 5 oz. Ye Olde Fruit Cake * * * Distributed by F. W. Woolworth Co., N. Y.," or "Barbara Jane Fruit Cake * * * Net Wt. 5 lbs. Distributed by Sears Roebuck and Co., Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, in that the cartons containing the article contained less than the amount declared on the label.

DISPOSITION: June 3, 1947. A plea of nolo contendere having been entered, the court imposed a fine against the corporation of \$200 on each of the 4 counts of the information.

11860. Adulteration of pies. U. S. v. Anthony Verreos (New Blue Ribbon Pie Co.). Plea of nolo contendere. Sentence suspended and individual placed on probation for 2 years. (F. D. C. No. 22059. Sample Nos. 40575-H, 40577-H to 40579-H, incl.)

INFORMATION FILED: April 24, 1947, Eastern District of Missouri, against Anthony Verreos, trading as the New Blue Ribbon Pie Co., St. Louis, Mo.

ALLEGED SHIPMENT: On or about December 11, 1946, from the State of Missouri into the State of Illinois.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, mites, rodent hairs, and rodent 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: July 22, 1947. A plea of nolo contendere having been entered, the court suspended the imposition of sentence and placed the defendant on probation for 2 years, conditioned that he immediately discontinue his pie business.

CORN MEAL*

11861. Adulteration of corn meal. U. S. v. Burnside Milling Company, Oscar W. Robinson, and John O. Robinson. Pleas of nolo contendere. Fine of \$1,500 and costs against the company. Sentences of 3 months in jail against Oscar W. Robinson and of 30 days in jail against John O. Robinson were suspended, and each individual was placed on probation for 3 years. (F. D. C. No. 22021. Sample Nos. 53445-H, 53446-H, 53452-H.)

INFORMATION FILED: March 20, 1947, Eastern District of Kentucky, against the Burnside Milling Co., a partnership, Burnside, Ky., and Oscar W. Robinson and John O. Robinson, partners.

ALLEGED SHIPMENT: On or about September 11 and 20, 1946, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Hearty Heart Fresh Ground Bolted Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta fragments, rodent hair fragments, insects, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

*See also No. 11868.