

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of insect parts 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: December 24, 1947. The defendant having entered a plea of guilty on all 7 counts, the court imposed a fine of \$50 on each count, a total fine of \$350.

12415. Adulteration of fruit cake. U. S. v. Karl Baking Co., Hyman Sherman, and Max Tabachnik. Pleas of nolo contendere. Fine, \$500. (F. D. C. No. 22069. Sample Nos. 54349-H, 54350-H.)

INFORMATION FILED: May 7, 1947, District of New Jersey, against the Karl Baking Co., a partnership, Newark, N. J., and Hyman Sherman and Max Tabachnik, partners.

ALLEGED SHIPMENT: On or about September 11 and 23, 1946, from the State of New Jersey into the State of North Carolina.

LABEL, IN PART: "Dumbarton Oaks Rum and Brandy 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 beetles, larvae, ants, and insect fragments.

DISPOSITION: December 15, 1947. Pleas of nolo contendere having been entered, a fine of \$500 was imposed against the defendants.

12416. Adulteration of Peanut Butter Dots and Peanut Butter Cheese Sandwiches. U. S. v. 91 Cartons, etc. (and 2 other seizure actions). (F. D. C. Nos. 23145 to 23147, incl. Sample Nos. 65985-H, 65986-H, 65990-H, 65992-H.)

LIBELS FILED: Between May 28 and June 6, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about April 22 and 29, 1947, by Rite Bite Food Products, from Philadelphia, Pa.

PRODUCT: 23 cartons of Peanut Butter Dots and 68 cartons of Peanut Butter Cheese Sandwiches at Lambertville, 44 cartons of Peanut Butter Cheese Sandwiches at Toms River, and 33 cartons of Peanut Butter Dots at Margate City, N. J. Each carton of both products contained 24 1-ounce packages.

LABEL, IN PART: "Rite Bite Food Products Peanut Butter Dots," or "Rite-Bite Peanut Butter Cheese Sandwiches."

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

DISPOSITION: June 27 and July 3, 1947. Default decrees of condemnation and destruction.

12417. Adulteration and misbranding of cracker sandwiches. U. S. v. 18 Boxes * * *. (F. D. C. No. 23157. Sample No. 65996-H.)

LIBEL FILED: June 3, 1947, District of Delaware.

ALLEGED SHIPMENT: On or about May 12, 1947, by the Elite Sandwich Company, from Penns Grove, N. J.

PRODUCT: 18 boxes, each containing 50 1¼-ounce packages, of cracker sandwiches at Wilmington, Del.

LABEL, IN PART: "Combination Peanut & Cheese Elite Crisp Cracker Sandwich Net Wt. 1¼ Ozs."

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 insect fragments and rodent hair fragments; Section 402 (a) (4), the cracker component of the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents. (The product was short of the declared weight.)

DISPOSITION: June 23, 1947. Default decree of condemnation and destruction.