

13010. Adulteration and misbranding of bread. U. S. v. Keller's, Inc., Eugene C. Keller, and James Vanderstein. Pleas of nolo contendere. Corporation fined \$125; individual defendants each fined \$25. (F. D. C. No. 21573. Sample Nos. 58664-H, 58665-H, 58669-H, 58670-H.)

INFORMATION FILED: February 28, 1947, District of Oregon, against Keller's, Inc., Portland, Oreg., Eugene C. Keller, president, and James Vanderstein, plant superintendent.

ALLEGED SHIPMENT: On or about April 17 and 24, 1946, from the State of Oregon into the State of Washington.

LABEL, IN PART: "Keller's Betsy Ross White Sliced 1½ Lbs. Added Vitamin B₁ and Iron Enriched For Better Nutrition One-half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement for these essential food substances: Thiamine (Vitamin B₁) 55% Riboflavin (Vitamin B₂) 17.5% Niacin (another B vitamin) 5 milligrams Iron 40%," "Keller's Butter Bread 1 lb.," or "Keller's White Sliced—1 Lb. [or "1½ Lbs."] Betsy Ross."

NATURE OF CHARGE: 1 lot. Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁), riboflavin (vitamin B₂), and niacin, had been omitted, since one-half pound of the product would not provide 55 percent of the minimum daily requirement of thiamine, 17.5 percent of the minimum daily requirement of riboflavin, and 5 milligrams of niacin, but would provide smaller amounts of these vitamins. Misbranding, Section 403 (a), the label statements, "One-half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement of these essential food substances: Thiamine (Vitamin B₁) 55% Riboflavin (Vitamin B₂) 17.5% Niacin (another B vitamin) 5 milligrams," were false and misleading.

All lots. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The label statements "1 Lb." or "1½ Lbs." were inaccurate, since the loaves of bread weighed less than 1 pound and 1½ pounds, respectively.

DISPOSITION: March 6, 1947. Pleas of nolo contendere having been entered, the corporation was fined \$125 and each individual defendant \$25.

13011. Adulteration and misbranding of bread. U. S. v. The L. Weinberg Baking Co. and Herman Weinberg. Pleas of guilty. Company fined \$300; individual, \$200. (F. D. C. No. 24099. Sample Nos. 73749-H, 73753-H, 73754-H.)

INFORMATION FILED: February 24, 1948, Southern District of Ohio, against the L. Weinberg Baking Co., a corporation, Cincinnati, Ohio, and Herman Weinberg, secretary and treasurer.

ALLEGED SHIPMENT: On or about July 31, 1947, from the State of Ohio into the State of Kentucky.

LABEL, IN PART: "Weinberg's Sandwich Loaf," "Weinberg's Premium," or "Weinberg's Poppy Seed or Sesame Vienna."

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

Misbranding, Section 403 (a), the statement "Poppy Seed or Sesame Vienna" borne on the label of a portion of the bread was false and misleading, since that portion of the bread did not contain poppy or sesame seed.

DISPOSITION: April 28, 1948. Pleas of guilty having been entered, the court imposed fines of \$300 against the company and \$200 against the individual.

13012. Adulteration of bread. U. S. v. Polish Baking Company, Stephen Glowacki, and Leon Glowacki. Pleas of non vult. Imposition of sentence suspended. Defendants placed on 2 years' probation. (F. D. C. No. 24050. Sample Nos. 66573-H, 66574-H, 99983-H, 99984-H.)

INFORMATION FILED: January 7, 1948, District of New Jersey, against the Polish Baking Co., a partnership, Camden, N. J., and Stephen Glowacki and Leon Glowacki, partners.

ALLEGED SHIPMENT: On or about June 4 and August 26, 1947, from the State of New Jersey into the State of Pennsylvania.

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

DISPOSITION: February 6, 1948. Pleas of non vult having been entered, imposition of sentence was suspended and the defendants were placed on probation for 2 years.

13013. Adulteration of bread. U. S. v. Pfaff Baking Co. Plea of guilty. Fine, \$200 and costs. (F. D. C. No. 24077. Sample Nos. 24409-K, 24419-K.)

INFORMATION FILED: April 19, 1948, Northern District of Iowa, against the Pfaff Baking Co., a corporation, Fort Dodge, Iowa.

ALLEGED SHIPMENT: On or about September 17 and 18, 1947, from the State of Iowa into the State of Minnesota.

LABEL, IN PART: "Pfaff's Enriched Betsy Ross Sliced Bread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, mites, 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: April 19, 1948. A plea of guilty having been entered on behalf of the defendant, a fine of \$200, plus costs, was imposed.

13014. Misbranding of bread. U. S. v. Continental Baking Co., a corporation, and Curtis C. Haggerty and Louie C. Wuerch. Pleas of guilty. Corporation fined \$700 and costs; each individual fined \$70. (F. D. C. No. 24104. Sample Nos. 77831-H, 36106-K, 36107-K, 36109-K, 36110-K, 36112-K, 36113-K.)

INFORMATION FILED: March 16, 1948, Eastern District of Washington, against the Continental Baking Co., a corporation, Spokane, Wash., and Curtis C. Haggerty and Louie C. Wuerch, manager and production superintendent, respectively.

ALLEGED SHIPMENT: On or about August 11 and September 10, 11, 15, and 16, 1947, from the State of Washington into the State of Idaho.

LABEL, IN PART: "Sliced White Wonder Bread Net Weight 1½ Lbs. [or "1 Lb."]."

NATURE OF CHARGE: 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 weighed less than 1 pound or 1½ pounds net; and (one lot), Section 403 (k), the product contained a chemical preservative, a salt of propionic acid, and failed to bear a label stating that fact.

DISPOSITION: March 30, 1948. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$700 and costs and each of the individual defendants was fined \$70.

13015. Adulteration and misbranding of soybean toast and bread. U. S. v. Harmon L. Vaughn (Bill Baker's Ojai Bakery). Plea of nolo contendere. Fine, \$250. (F. D. C. No. 24051. Sample Nos. 44900-H, 71803-H, 71805-H, 71806-H.)

INFORMATION FILED: January 28, 1947, Southern District of California, against Harmon L. Vaughn, trading as Bill Baker's Ojai Bakery, at Ojai, Calif.

ALLEGED SHIPMENT: On or about June 24 and 26, 1947, from the State of California into the States of Oklahoma, Washington, and Arizona.

LABEL, IN PART: (Wrappers) "Bill Baker's Original Soya Bean Bread * * * Net Weight 1 Pound," or "Bill Baker's Original Soy Bean Toast * * * Net Weight 6 Ozs."

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

Misbranding, Section 403 (a), the statement "Net Weight 6 Ozs." borne on the wrappers containing the toast was false and misleading, in that the wrappers contained less than 6 ounces of the product; Section 403 (e) (2), the toast failed to bear an accurate statement of the quantity of the contents.