

DISPOSITION: April 27, 1948. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$300, plus costs.

**13220. Adulteration and misbranding of enriched bread. U. S. v. Langendorf United Bakeries, Inc. Plea of nolo contendere. Fine, \$60. (F. D. C. No. 22090. Sample Nos. 61505-H, 61511-H, 61519-H.)**

INFORMATION FILED: June 26, 1947, District of Oregon, against Langendorf United Bakeries, Inc., Portland, Oreg.

ALLEGED SHIPMENT: On or about July 11 and 23 and August 6, 1946, from the State of Oregon into the State of Washington.

LABEL, IN PART: "Dr. Penland's Vitamin B<sub>1</sub> Wheat Bread 14.4 oz. Contains 1,100 International Units Vitamin B<sub>1</sub>."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B<sub>1</sub>, had been omitted, since 14.4 ounces of the bread would provide less than 1,100 International Units of vitamin B<sub>1</sub>.

Misbranding, Section 403 (a), the label statement "14.4 oz. Contains 1,100 International Units Vitamin B<sub>1</sub>" was false and misleading.

DISPOSITION: November 7, 1947. A plea of nolo contendere having been entered, the defendant was fined \$60.

**13221. Adulteration and misbranding of potato bread and misbranding of whole wheat bread. U. S. v. Oroweat Baking Co. and Edward M. Nagel. Pleas of nolo contendere. Each defendant fined \$100. (F. D. C. No. 24564. Sample Nos. 33001-K, 33007-K, 33011-K.)**

INFORMATION FILED: May 12, 1948, Northern District of California, against the Oroweat Baking Co., a corporation, San Francisco, Calif., and Edward M. Nagel, president.

ALLEGED SHIPMENT: On or about September 9, 1947, from the State of California into the State of Nevada.

PRODUCT: 1 shipment of potato bread and 2 shipments of whole wheat bread.

LABEL, IN PART: "Oroweat \* \* \* 100% Whole Wheat," or "Oroweat \* \* \* Potato Bread."

NATURE OF CHARGE: Potato bread. Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B<sub>1</sub>, had been in part omitted. Misbranding, Section 403 (a), the label statement, "Six ounces of this bread supply you with at least the following amounts or percentages of your minimum requirements for these essential food elements: Vitamin B<sub>1</sub> 37%," was false and misleading since 6 ounces of the product would supply less than 37½ percent of the minimum daily requirements for vitamin B<sub>1</sub>.

Whole wheat bread, one shipment. Misbranding, Section 403 (a), the label statement, "The 700 units of Vitamin B<sub>1</sub> in this loaf are the Natural Vitamins present in first quality 100% whole wheat and are not synthetic or artificially added," was false and misleading since the loaf would provide less than 700 units of vitamin B<sub>1</sub>.

Potato bread and both lots of whole wheat bread. Misbranding, Section 403 (k), the products contained a chemical preservative, a propionate, and failed to bear labeling stating that fact.

DISPOSITION: June 4, 1948. Pleas of nolo contendere having been entered, the defendants were each fined \$100.

**13222. Adulteration of cake. U. S. v. Crescent Cake Co. and Edwin C. Stanley. Pleas of nolo contendere. Fines of \$250 against corporation and \$500 against individual. (F. D. C. No. 24513. Sample Nos. 12302-K, 13008-K, 13011-K, 13015-K, 13016-K.)**

INFORMATION FILED: March 18, 1948, Eastern District of Pennsylvania, against the Crescent Cake Co., a corporation; Philadelphia, Pa., and Edwin C. Stanley, president.

ALLEGED SHIPMENT: Between the approximate dates of September 10 and 30, 1947, from the State of Pennsylvania into the States of New Jersey and Maryland.

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

**DISPOSITION:** May 27, 1948. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed fines of \$250 against the corporation and \$500 against the individual.

**13223. Misbranding of cakes. U. S. v. American Lady Bakers, Inc. Plea of nolo contendere. Fine, \$500.** (F. D. C. No. 24544. Sample Nos. 28435-K to 28437-K, incl., 28440-K, 28441-K.)

**INFORMATION FILED:** April 19, 1948, District of Colorado, against American Lady Bakers, Inc., Denver, Colo.

**ALLEGED SHIPMENT:** On or about November 20 and 21, 1947, from the State of Colorado into the States of South Dakota, New Mexico, and Wyoming.

**LABEL, IN PART:** "American Lady 10 Oz. or over [or "12 Oz. or over," or "15 Oz. or over"]."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the products were in package form and failed to bear a label containing an accurate statement of the quantity of the contents, since they were labeled "10 Oz. [or "12 Oz." or "15 Oz.]," but weighed less than the labeled weights.

**DISPOSITION:** June 3, 1948. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on each of the 5 counts of the information.

**13224. Adulteration of cookies. U. S. v. Good Taste Cookie Kitchens, Inc. Plea of guilty. Fine, \$420.** (F. D. C. No. 24084. Sample Nos. 26932-K to 26934-K, incl.)

**INFORMATION FILED:** February 2, 1948, Eastern District of Missouri, against Good Taste Cookie Kitchens, Inc., St. Louis, Mo.

**ALLEGED SHIPMENT:** On or about October 8, 16, and 20, 1947, from the State of Missouri into the State of Illinois.

**LABEL, IN PART:** "Good Taste 15¢ Black Walnut [or "Oatmeal"] Cookies."

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

**DISPOSITION:** On February 24, 1948, a plea of guilty having been entered, a fine of \$400 was imposed on count 1. Imposition of sentence on the other two counts was deferred pending a reinspection of the defendant's premises. On June 7, 1948, upon receipt of a report that the reinspection had shown that the firm was operating in essentially a satisfactory manner, the court fined the defendant \$10 on each of the remaining two counts.

**13225. Adulteration and misbranding of coconut macaroons. U. S. v. 68 Cases \* \* \*. (F. D. C. No. 24322. Sample No. 505-K.)**

**LIBEL FILED:** On or about February 2, 1948, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about December 10, 1947, by the Haddock Distributing Corp., Atlanta, Ga., to New York, N. Y., consigned to the original shipper, the Stewart-Walker Corp. The shipment was refused by the latter company and returned to Atlanta.

**PRODUCT:** 68 cases, each containing 24 5-ounce cans, of coconut macaroons at Atlanta, Ga.

**LABEL, IN PART:** "Stewart's Coconut Macaroons \* \* \* Baked Expressly For Stewart-Walker Corp., New York, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of being rancid.

Misbranding, Section 403 (d), the container was so filled as to be misleading, since an average of 6 additional macaroons could be placed in each can. (Each can contained an average of 23 macaroons.)

**DISPOSITION:** March 24, 1948. Default decree of condemnation and destruction.