

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

DISPOSITION: June 9, 1949. Pleas of not guilty having been entered, the case was tried before the court. The defendants were found guilty and each was fined \$150, together with costs.

14752. Misbranding of Bevco Stabilizer. U. S. v. 7 Bottles * * * (and 5 other seizure actions). F. D. C. Nos. 26272, 26390, 26395, 26396, 26412, 26471. Sample Nos. 1084-K, 7498-K, 7499-K, 23912-K, 23934-K, 45713-K.)

LIBELS FILED: January 7, 10, 11, 18, and 20, 1949, Southern District of Alabama, Northern District of Alabama, Eastern District of Missouri, Western District of New York, and Southern District of Florida.

ALLEGED SHIPMENT: On or about July 22, August 26, September 7, 10, 22, and 27, and December 6, 1948, by Chandler Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: Bevco Stabilizer. 7 1-gallon bottles at Mobile, Ala., 8 1-gallon bottles at Manchester, Mo., 4 1-gallon bottles at North Tonawanda, N. Y., 8 1-gallon bottles at Tonawanda, N. Y., 11 1-gallon bottles at Miami, Fla., and 11 1-gallon bottles at Birmingham, Ala.

LABEL, IN PART: "Bevco Stabilizer Directions: Use $\frac{1}{2}$ ounce to each gallon of prepared syrup or to 6 gallons of finished product. * * * contains less than $2\frac{1}{2}\%$ pure quaternary ammonium chloride. * * * is not a finished food product and is for manufacturing use only."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Bevco," coupled with the directions for use, was misleading since it represented to purchasers that the article was wholesome and suitable for use as a component of beverages for man, whereas the product contained a quaternary ammonium compound, which is a poisonous and deleterious substance, and the labeling failed to reveal that fact.

DISPOSITION: February 7 and 17, March 1, and 3, and April 14, 1949. Default decrees of condemnation and destruction.

14753. Misbranding of Bevco Stabilizer. U. S. v. 7 Bottles * * *. (F. D. C. No. 26277. Sample No. 42412-K.)

LIBEL FILED: February 9, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 26 and August 25, 1948, by Chandler Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 7 1-gallon bottles of Bevco Stabilizer at Rockford, Ill.

LABEL, IN PART: "Bevco Stabilizer * * * Directions: Use $\frac{1}{2}$ ounce to each gallon of prepared syrup or to 6 gallons of finished product. * * * contains less than $2\frac{1}{2}\%$ pure quaternary ammonium chloride. * * * is not a finished food product and is for manufacturing use only."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling was misleading since the trade name "Bevco," coupled with the directions for use, represented to purchasers that the article was wholesome and suitable for use as a com-

ponent of beverages for man, whereas the article contained a quaternary ammonium compound, which is a poisonous and deleterious substance, and the labeling failed to reveal that fact.

DISPOSITION: June 9, 1949. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

14754. Adulteration of bread. U. S. v. Continental Baking Co., a corporation, and John H. Westerfield. Pleas of nolo contendere. Each defendant fined \$500 and costs. (F. D. C. No. 26303. Sample Nos. 25331-K to 25333-K, incl., 25335-K.)

INFORMATION FILED: December 21, 1948, Southern District of Iowa, against the Continental Baking Co., a corporation, and John H. Westerfield, manager.

ALLEGED SHIPMENT: On or about June 26 and 28, 1948, from the State of Iowa into the State of Illinois.

LABEL, IN PART: "Wonder Bread."

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

DISPOSITION: May 14, 1949. Pleas of nolo contendere having been entered, each defendant was fined \$500, together with costs.

14755. Adulteration of pumpernickel bread. U. S. v. 43 Cases * * *. (F. D. C. No. 26512. Sample No. 37939-K.)

LIBEL FILED: February 8, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about November 18, 1948, by Liberty Cherry & Fruit Co., Inc., from Latonia, Ky.

PRODUCT: 43 cases, each containing 24 1-pound cans, of pumpernickel bread at Seattle, Wash.

LABEL, IN PART: "Nordmann's Original Pure Rye Pumpernickel * * * Baked and Packed by Nordmann's Bakery, Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect parts and rodent hair fragments.

DISPOSITION: May 26, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

14756. Adulteration of cookies. U. S. v. Arley E. Alexander and Guy A. Alexander (Magnolia Candy & Cookie Co.). Pleas of nolo contendere. Each defendant fined \$50. (F. D. C. No. 26312. Sample Nos. 23399-K, 23566-K.)

INFORMATION FILED: April 22, 1949, Southern District of Mississippi, against Arley E. Alexander and Guy A. Alexander, trading as the Magnolia Candy & Cookie Co., a partnership, Jackson, Miss.

*See also Nos. 14765, 14766.