

tion was entered and the court ordered that the product be released under bond to be reprocessed, under the supervision of the Food and Drug Administration. The entire lot was re-refined.

15164. Adulteration of sugar. U. S. v 66 Bags * * *. (F. D. C. No. 27550. Sample No. 1471-K.)

LIBEL FILED: On or about July 7, 1949, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about May 27, 1949, from Baltimore, Md.

PRODUCT: 66 100-pound bags of sugar at Elkin, N. C., in possession of Cash & Carry Stores, Inc.

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 rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 28, 1949. Cash & Carry Stores, Inc., claimant, having consented to the entry of a decree, the court entered a judgment of condemnation, ordering the product released under bond for reprocessing in a sugar refinery, under the supervision of the Food and Drug Administration.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

15165. Adulteration of bakery products. U. S. v. Andrew M. Hughes (Butter Nut Baking Co.). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 25309. Sample Nos. 21717-K, 21719-K, 21723-K, 21724-K, 21728-K, 21733-K.)

INFORMATION FILED: September 30, 1948, Eastern District of Oklahoma, against Andrew M. Hughes, trading as the Butter Nut Baking Co., Hugo, Okla.

ALLEGED SHIPMENT: On or about May 24, 25, and 26, 1948, from the State of Oklahoma into the State of Texas.

LABEL, IN PART: "Enriched Pullman Butter Nut Bread," "Wortham's Wheat Bread," "Jelly Roll," "Cake," or "Cinnamon or Fruit Roll."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of 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: May 23, 1949. A plea of nolo contendere having been entered, the defendant was fined \$300.

15166. Adulteration of bread and rolls. U. S. v. Gold Medal Baking Co., Inc., and Leonard B. Lipkin. Pleas of nolo contendere. Corporation fined \$1,000; individual defendant fined \$400. (F. D. C. No. 26740. Sample Nos. 13074-K to 13076-K, incl.)

INFORMATION FILED: October 11, 1949, Eastern District of Pennsylvania, against Gold Medal Baking Co., Inc., Philadelphia, Pa., and Leonard B. Lipkin, vice president.

ALLEGED VIOLATION: The defendants were charged with giving a false guaranty on or about October 7, 1944, to The Great Atlantic & Pacific Tea Company of

Philadelphia, Pa. The guaranty provided that foods shipped or delivered by the defendant to the latter firm would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On or about May 6, 1949, the defendant sold and delivered under the guaranty a number of loaves of bread and a number of rolls, which were adulterated; and subsequently The Great Atlantic & Pacific Tea Company shipped the bread and rolls, so delivered and guaranteed by the defendant, from the State of Pennsylvania into the State of New Jersey.

LABEL, IN PART: "Gold Medal Baking Company."

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 and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 16, 1949. Pleas of nolo contendere having been entered, the corporation was fined \$1,000 and the individual defendant was fined \$400.

15167. Adulteration of cookies. U. S. v. Carr Consolidated Biscuit Co. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 26315. Sample Nos. 19745-K, 19929-K, 19939-K, 40221-K, 40222-K.)

INFORMATION FILED: January 24, 1949, Middle District of Pennsylvania, against the Carr Consolidated Biscuit Co., a corporation, Wilkes-Barre, Pa.

ALLEGED SHIPMENT: On or about June 22 and 24, and July 12, 14, and 26, 1948, from the State of Pennsylvania into the States of Ohio and Maryland.

LABEL, IN PART: "Carr Orchid Selection," "Iced Nuggets," and "Oatmeal Cookies."

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

DISPOSITION: October 10, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$300.

15168. Adulteration of fruit cake. U. S. v. 38 Cases * * *. (F. D. C. No. 27324. Sample No. 56140-K.)

LIBEL FILED: June 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about October 3, 1947, from Waco, Tex.

PRODUCT: 38 cases, each containing 24 1-pound cans, of fruit cake at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of its insect infestation, and of a decomposed substance by reason of its rancidity. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 22, 1949. Default decree of condemnation and destruction.