

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

16351. Adulteration and misbranding of cookies. U. S. v. 15 Cases * * *.
(F. D. C. No. 28830. Sample No. 71285-K.)

LIBEL FILED: On or about February 7, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about January 9, 1950, by the Post Trading Co., from Los Angeles, Calif.

PRODUCT: 15 cases, each containing 24 2-ounce boxes, of cookies at Seattle, Wash.

LABEL, IN PART: "Arrowroot Animal Cookies With Prize * * * Treasure Wagon Animal Cookies Contains Arrowroot."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, arrowroot, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statements "Arrowroot Animal Cookies * * * Animal Cookies Contains Arrowroot" were false and misleading as applied to an article containing an insignificant amount of arrowroot.

DISPOSITION: September 11, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

16352. Misbranding of Butter Cake Cones, U. S. v. 106 Packages, etc. (F. D. C. No. 29072. Sample Nos. 72711-K, 72712-K.)

LIBEL FILED: April 26, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 9, 1950, by Premier Industries, Inc., from Covington, Ky.

PRODUCT: Butter Cake Cones. 106 packages, each containing 100 cones, and 8 boxes, each containing 250 cones, at Mount Vernon, Ohio.

LABEL, IN PART: (Package) "Premier-Butter Cake Cones Made With Sugar-Butter Milk-Honey Ingredients: Flour, Sugar, Butter, Milk, Honey, Shortening, Tapioca Flour, Soda, Vanilla, Salt and Artificial Color where permitted," and (box) "250 Premier-Butter Cake Cones Ingredients: Flour, Sugar, Tapioca Flour, Salt, Shortening, Certified Artificial Flavoring and Color where allowed."

NATURE OF CHARGE: Misbranding, Section 403 (a), (cones in packages) the name of the product "Butter Cake Cones," the prominent label declaration "Made With * * * Butter Milk-Honey," and the label statement "Ingredients: * * * Butter, Milk * * *" were false and misleading since the article contained insignificant amounts of skim milk powder, butterfat, and honey; and, Section 403 (k), the product contained artificial flavoring and coloring and failed to bear labeling stating that fact since artificial flavoring was not declared, and the presence of artificial coloring was not clearly revealed.

Misbranding, Section 403 (a), (cones in boxes) the name of the product "Butter Cake Cones" and the statement "Certified Artificial Flavoring," which appeared on the label, were false and misleading since the product contained