

**CEREALS AND CEREAL PRODUCTS****BAKERY PRODUCTS**

**16601. Adulteration of cookies. U. S. v. Arthur J. Frank (Frank Cookie Co.) and Herschell B. Frank. Pleas of nolo contendere. Each individual defendant fined \$100. (F. D. C. No. 29167. Sample Nos. 52898-K, 63881-K to 63883-K, incl.)**

**INFORMATION FILED:** June 26, 1950, Middle District of Tennessee, against Arthur J. Frank, trading as the Frank Cookie Co., and Herschell B. Frank, Nashville, Tenn.

**ALLEGED SHIPMENT:** Between the approximate dates of October 19 and November 23, 1949, from the State of Tennessee into the States of Indiana and Georgia.

**LABEL, IN PART:** (Portion) "Frank's Vanilla Wafers" and "Frank's Coconut Cookies."

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

**DISPOSITION:** October 18, 1950. Pleas of nolo contendere having been entered, the court fined each defendant \$100.

**16602. Adulteration of oatcakes. U. S. v. 48 Packages \* \* \*. (F. D. C. No. 29660. Sample No. 79904-K.)**

**LABEL FILED:** July 21, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about May 8 and June 22, 1950, by C. S. Davisson & Co., from New York, N. Y.

**PRODUCT:** 48 1-pound packages of oatcakes at Boston, Mass.

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

**DISPOSITION:** October 9, 1950. Default decree of condemnation and destruction.

**FLOUR**

Nos. 16603 to 16607 report actions involving flour that was insect- or rodent-infested, or both. (In those cases in which the time of contamination was known, that fact is stated in the notice of judgment.) The flour reported in No. 16608 failed to meet the standard for enriched flour.

**16603. Action to enjoin and restrain the interstate shipment of buckwheat flour and corn meal. U. S. v. Stuart Roser. Consent decree granting injunction. (Injunction No. 223).**

**COMPLAINT FILED:** January 27, 1950, District of Maryland, against Stuart Roser, Parkton, Md.

**NATURE OF CHARGE:** That the defendant had been, and was at the time, introducing and delivering for introduction into interstate commerce, at Park-

ton, Md., buckwheat flour and corn meal which were adulterated in the following respects: Section 402 (a) (3), the products consisted in part of filthy substances, such as insects, insect fragments, rodent hair fragments, and rodent excreta pellets; and, Section 402 (a) (4), the products had been, and were still being, prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

The complaint alleged further that the insanitary conditions in the defendant's plant arose out of the presence of rodents and insects in and around grain, machinery, and equipment used for preparing and packing the products, and the presence of rodent pellets and insects in other parts of the plant where the products were prepared and packed; and that the defendant still continued to introduce into interstate commerce, shipments of adulterated buckwheat flour and corn meal, and would continue to ship such products unless enjoined from so doing.

**DISPOSITION:** January 27, 1950. The defendant having consented to the entry of a decree, the court issued an order perpetually enjoining the defendant from introducing and delivering for introduction into interstate commerce, buckwheat flour and corn meal adulterated as alleged in the complaint.

**16604. Adulteration of flour. U. S. v. 27 Bags, etc.** (F. D. C. No. 29552. Sample Nos. 84192-K to 84194-K, incl.)

**LIBEL FILED:** August 30, 1950, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 19 and May 17, 1950, from Alton, Ill., and Hastings, Minn.

**PRODUCT:** 27 100-pound bags of pastry flour, 114 100-pound bags of bromated flour, and 7 100-pound bags of rye flour at Cincinnati, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects and insect parts. The products were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 29, 1950. The Russell-Miller Milling Co., Alton, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and court ordered that the products be released under bond, conditioned that they be denatured by the addition of clay. The denatured products were to be used by foundries.

**16605. Adulteration of flour. U. S. v. 39 Bags \* \* \*** (F. D. C. No. 29554. Sample No. 72446-K.)

**LIBEL FILED:** August 30, 1950, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 25, 1949, from Alton, Ill.

**PRODUCT:** 39 100-pound bags of flour at Cincinnati, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and rodent hair fragments. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 10, 1950. The Russell-Miller Milling Co., Alton, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond