

the defendant's plant whereby they may have become contaminated with filth; that the insanitary conditions in the plant resulted from the use of filthy raw materials contaminated by rodents, insects, rodent hair, and rodent excreta, and from the presence of insect and rodent filth in and around the plant and in and around the machinery, equipment, and raw materials used in the preparation of the products; and that the insanitary conditions resulted also from general carelessness whereby the foods prepared in the defendant's plant were subjected to contamination.

The complaint alleged further that the defendant continued to ship and caused to be shipped in interstate commerce adulterated foods, and alleged on information and belief that the defendant would continue to do so unless restrained.

**DISPOSITION:** On September 13, 1948, the defendant having consented thereto, a decree was entered enjoining and restraining the defendant and all persons acting on its behalf from introducing or delivering for introduction into interstate commerce, food and food products, and specifically bakery products, which were adulterated within the meaning of Sections 402 (a) (3) and (4). On July 19, 1951, the United States attorney having moved dismissal of the injunctive decree, alleging as grounds for such dismissal that he had reason to believe from representations of the defendant and from inspection of the defendant's bakery and the products manufactured therein, that the company was operating in compliance with the Federal Food, Drug, and Cosmetic Act, the court ordered the injunction dismissed.

**17411. Adulteration of cookies. U. S. v. Cosmo Pansini (Primato Egg Biscuit Co.). Plea of not guilty. Tried to the jury. Verdict of guilty. Fine, \$400. (F. D. C. No. 29194. Sample Nos. 57063-K, 57064-K.)**

**INFORMATION FILED:** June 30, 1950, District of New Jersey, against Cosmo Pansini, trading as the Primato Egg Biscuit Co., Union City, N. J.

**ALLEGED SHIPMENT:** On or about August 8 and 22, 1949, from the State of New Jersey into the State of New York.

**LABEL, IN PART:** "Primato Special," "Fruit Biscotti," and "Regina."

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

**DISPOSITION:** A plea of not guilty having been entered, the matter was tried before the jury and a verdict of guilty was entered on March 20, 1951. On April 6, 1951, the court imposed a fine of \$400.

**17412. Adulteration of bread sticks. U. S. v. 34 Cases \* \* \*. (F. D. C. No. 30507. Sample No. 29834-L.)**

**LIBEL FILED:** February 13, 1951, Western District of Washington.

**ALLEGED SHIPMENT:** On or about January 10, 1951, by Pierre's French Bakery, from Portland, Oreg.

**PRODUCT:** 34 cases, each containing 48 2-ounce packages, of bread sticks at Seattle, Wash.

**LABEL, IN PART:** "Pierre's Bread Sticks."

**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 insects