

LIBELED: 2-13-59, Dist. Mass.

CHARGE: 402(a) (3)—contained mold filaments; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-16-59. Default—destruction.

25355. Frozen fruit pies. (F.D.C. No. 42649. S. Nos. 11-580 P, 47-018/20 P.)

QUANTITY: 273 cases, 6 apple pies each; 49 cases, 6 peach pies each; 33 cases, 6 cherry pies each; and 77 cases, 6 blueberry pies each, at Milwaukee, Wis.

SHIPPED: 11-7-58, from Webster City, Iowa, by Morton Frozen Foods, Div. Continental Baking Co.

LABEL IN PART: (Ctn.) "Net Wt. 1 lb. 8 oz. Morton Family Size Frozen * * * Pie Now Butter in the Crust."

LIBELED: 12-22-58, E. Dist. Wis.

CHARGE: 403(a)—when shipped, the label statement "Butter in the Crust" was false and misleading as applied to the article which contained little or no butter in the crust.

DISPOSITION: 1-30-59. Consent—claimed by Continental Baking Co. and re-labeled.

25356. Frozen pecan pies and frozen macaroni and cheese casseroles. (F.D.C. No. 42824. S. Nos. 47-576/7 P.)

QUANTITY: 213 cases, 6 ctns. each, of frozen pecan pies, and 249 cases, 12 ctns. each, of frozen macaroni and cheese casseroles, at North Abington, Mass.

SHIPPED: 1-12-59, from Wethersfield, Conn., by Farm House Frozen Pies, Div. Connecticut Pie Baking Co., Inc.

LABEL IN PART: (Ctn.) "Frozen Pecan Pie * * * Farm House Frozen Pies Div. Connecticut Pie Baking Co., Inc., * * * Net Weight 1 Lb. 2 Oz. or over," and "One Full Pound Farm House Frozen Macaroni and Cheese Casserole * * * Farm House Frozen Pies Div. Conn. Pie Baking Co., Inc."

LIBELED: 2-9-59, Dist. Mass.

CHARGE: 403(e) (2)—when shipped, the articles failed to bear a label containing an accurate statement of the quantity of contents (the articles were short weight); 403(f)—the statement of ingredients (both lots), and the quantity of contents statement (pecan pie), were not placed on the labels with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render them likely to be read and understood by the ordinary individual under customary conditions of purchase and use; and 403(i) (2)—(macaroni and cheese) the label failed to bear the common or usual name of each ingredient contained therein since starch was not declared.

DISPOSITION: 3-16-59. Default—delivered to a charitable institution for its use and not for sale.

CORNMEAL*

25357. Cornmeal. (F.D.C. No. 42417. S. Nos. 16-914/5 P.)

INFORMATION FILED: 2-24-59, S. Dist. Ind., against Bundy Bros. & Sons, a partnership, Medora, Ind., and Leland R. Bundy.

SHIPPED: 8-14-58, from Indiana to Kentucky.

*See also No. 25364.

LABEL IN PART: (Bag) "50 Lbs. Dorsel's Plain White Corn Meal Degerminated [or "Self-Rising White Corn Meal Degerminated Enriched"] Manufactured for The Dorsel Company, Newport, Kentucky 548."

CHARGE: 402(a)(3)—contained insects, insect fragments, rodent excreta pellets, and rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-1-59. Each defendant fined \$250, plus costs.

FLOUR

25358. Flour and rice. (F.D.C. No. 41741. S. Nos. 72-940/1 M, 73-169/71 M, 89-918/9 M.)

INFORMATION FILED: 6-27-58, Dist. Colo., against Knoebel Mercantile Co., a corporation, Denver, Colo., and Ferdinand C. Knoebel, president.

ALLEGED VIOLATION: Between 6-25-57 and 12-11-57, the defendants caused quantities of flour and rice, while held for sale after shipment in interstate commerce, to be placed in a building accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty—by the corporation to all counts; and nolo contendere—by the individual to two counts involving the flour.

DISPOSITION: 2-6-59. Corporation—\$1,400 fine; individual—\$350 fine.

25359. Flour. (F.D.C. No. 42428. S. Nos. 14-015 P, 32-685 P.)

INFORMATION FILED: 3-9-59, Dist. Minn., against La Grange Mills, a corporation, Red Wing, Minn., Louis W. Back, president, and Earl F. Holmquist, head miller.

SHIPPED: 9-10-58 and 9-18-58, from Minnesota to New Jersey and Illinois.

LABEL IN PART: (Bag) "100 Lbs. Net RED LION FLOUR [or "LA GRANGE GOODHUE EXTRA FANCY CLEAR FLOUR"] La Grange Mills Red Wing, Minnesota."

CHARGE: 402(a)(3)—contained insect fragments and rodent hair fragments; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-23-59. The court imposed a fine of \$500 against the defendants jointly.

25360. Flour. (F.D.C. No. 41195. S. Nos. 77-370 M, 77-203 M, 1-063 P, 2-072 P.)

INFORMATION FILED: 10-17-58, W. Dist. S.C., against Henry Grady Ables, t/a Oconee Roller Mills, Seneca, S.C.

SHIPPED: Between 7-1-57 and 1-10-58, from South Carolina to Georgia.

LABEL IN PART: (Bag) "10 Lbs. Net. [or "25 Lbs." or "50 Lbs."] Bleached Enriched PRIDE of CAROLINA Self-Rising FLOUR Seneca Milling Co. Seneca, S.C."; "10 Lbs. Net Wt. TUTT'S HIGH GRADE FAMILY FLOUR Bleached Self-Rising Flour McDowell Grocery Co. Madison, Ga."; and "25 Lbs. Net Wt. GEORGIA ROSE Self-Rising Flour Enriched—Bleached Milled By Oconee Roller Mills Seneca, S.C."

CHARGE: 402(a)(3)—contained insects and insect parts; and 402(a)(4)—prepared and packed under insanitary conditions.