

"2. The Defendants have been introducing or delivering for introduction into commerce in the District of Columbia in violation of 21 U. S. C. 331 (a) food that is adulterated within the meaning of 21 U. S. C. 342 (a) (3) and (4)."

On March 11, 1946, the defendants having consented to the entry of a decree, judgment was entered ordering that the defendants, Mendel Behrend and the Connecticut Pie Co., a corporation, and agents, servants, and employees and all persons acting in concert with them, be permanently enjoined from manufacturing in the District of Columbia, any food that consisted in whole or in part of filthy or putrid substances; or any food that had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; and from introducing or delivering for introduction into commerce in the District of Columbia any food so adulterated.

**9609. Adulteration of bakery products. U. S. v. Carolina Moon Pie Co., a partnership, and Otto Joseph Caudle. Plea of guilty. Partnership fined \$500. Judgment suspended for 1 year against individual defendant. (F. D. C. No. 16504. Sample Nos. 215-H, 221-H, 222-H, 224-H, 225-H.)**

**INFORMATION FILED:** August 31, 1945, Western District of North Carolina, against the Carolina Moon Pie Co., a partnership, Charlotte, N. C., and Otto Joseph Caudle, a partner.

**ALLEGED SHIPMENT:** On or about March 2, 14, 15, and 16, 1945, from the State of North Carolina into the State of South Carolina.

**LABEL, IN PART:** "Dad's Carolina Apple Pies [or "Honey Dipped Doughnuts"]  
\* \* \* J. Q. Hudgins Charlotte, N. C."

**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 rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** October 2, 1945. A plea of guilty having been entered, the partnership was fined \$500, and judgment was suspended for 1 year against the individual defendant.

**9610. Adulteration and misbranding of bakery products. U. S. v. George J. Panos and Peter J. Panos (Tip Top Bakery). Pleas of guilty. Fine, \$100. (F. D. C. No. 16514. Sample Nos. 27471-H, 27472-H, 27476-H.)**

**INFORMATION FILED:** September 27, 1945, District of Oregon, against George J. Panos and Peter J. Panos, trading as the Tip Top Bakery, Portland, Oreg.

**ALLEGED SHIPMENT:** On or about May 5, 1945, from the State of Oregon into the State of Washington.

**LABEL, IN PART:** "Tip Top White Sliced Enriched Bread," "Tip Top Bread Dutch Crunch," or "Tip Top Butter Cream Cake."

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

Misbranding, Section 403 (a), (cake) the statement "Butter Cream" on the wrappers of the article was false and misleading since it represented and suggested that the article contained butter and cream, whereas it failed to contain those ingredients.

**DISPOSITION:** November 5, 1945. A plea of guilty having been entered, the court imposed a fine of \$25 on each count, a total fine of \$100.

**9611. Adulteration of cake. U. S. v. Yur Favorit Cake Co., William H. Hauck, and Herbert H. Quitmeyer. Pleas of nolo contendere. Fines, \$1,000 against corporate defendant and \$250 against each individual defendant. (F. D. C. No. 16524. Sample Nos. 80287-F, 89968-F, 89969-F, 89971-F.)**

**INFORMATION FILED:** August 7, 1945, Eastern District of Missouri, against the Yur Favorit Cake Co., a corporation, St. Louis, Mo., William H. Hauck, vice-president and treasurer of the corporation, and Herbert H. Quitmeyer, plant manager.

**ALLEGED SHIPMENT:** On or about August 18 and November 3, 1944, from the State of Missouri into the State of Illinois.

**LABEL, IN PART:** "Yur-Favorit \* \* \* Cup Cakes," or "Yur-Favorit Cake Banana Bar [or "Jelly Roll"]."

**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 insect fragments, rodent hair fragments, hair fragments resembling rodent hair, feather barbules, and an insect and a mite; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 26, 1945. Pleas of nolo contendere having been entered, the corporate defendant was sentenced to pay a fine of \$1,000, and each individual defendant a fine of \$250.

**9612. Adulteration of bread and rolls. U. S. v. Colonial Stores, Inc., and Benjamin R. Kirby. Pleas of nolo contendere. Each defendant fined \$400.** (F. D. C. No. 16501. Sample Nos. 2282-H, 2296-H, 2297-H, 2299-H to 2301-H, incl.)

**INFORMATION FILED:** November 5, 1945, Eastern District of Virginia, against the Colonial Stores, Inc., a corporation, and Benjamin R. Kirby, plant superintendent.

**ALLEGED SHIPMENT:** On or about March 26 and April 6, 1945, from the State of Virginia into the State of North Carolina.

**LABEL, IN PART:** (Bread) "Thin Sliced \* \* \* Sandwich Triple Fresh," or "Triple Fresh 100% Whole Wheat Sandwich Bread Sliced"; (rolls) "Pan-O-Pride \* \* \* Pender Daylight Bakeries Norfolk, Va. Charlotte, N. C."

**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 insect fragments, including large body parts and adult insect heads, larvae, larva head capsules, mites, 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:** December 19, 1945. Pleas of nolo contendere having been entered, each defendant was fined \$400.

**9613. Adulteration of bread and wafers. U. S. v. 23 Cartons of Ry-Krisp Bread and 13 Cartons of Wafers. Default decree of condemnation and destruction.** (F. D. C. Nos. 17033, 17034. Sample Nos. 18775-H to 18777-H, incl.)

**LIBELS FILED:** August 9, 1945, District of South Dakota.

**ALLEGED SHIPMENT:** On or about July 14, 1945, by the Ralston-Purina Co., Ry-Krisp Division, from Minneapolis, Minn.

**PRODUCT:** 23 cartons, each containing 24 7¼-ounce packages, of Ry-Krisp bread and 13 cartons, each containing 18 12-ounce packages, of Ry-Krisp wafers at Sioux Falls, S. Dak.

**LABEL, IN PART:** "Family Style Ry-Krisp Scandinavian Style Bread," or "Ry-Krisp \* \* \* Wafer."

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

**DISPOSITION:** September 18, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**9614. Adulteration of ice cream cones. U. S. v. Arthur Shapiro (Maryland Baking Co.). Plea of guilty. Fine, \$500.** (F. D. C. No. 10560. Sample Nos. 9930-F, 9931-F, 28465-F, 28467-F, 28684-F to 28686-F, incl.)

**INFORMATION FILED:** November 23, 1945, Northern District of Georgia, against Arthur Shapiro, trading as the Maryland Baking Co., Atlanta, Ga.

**ALLEGED SHIPMENT:** Between the approximate dates of November 25, 1942, and January 21, 1943, from the State of Georgia into the States of Louisiana, North Carolina, and Florida.

**LABEL, IN PART:** "Duble Heder Ice Cream Cones," "Torch Cup Cake Cones," or "Flare Tops Dripless Cake Cones."

**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 hair fragments, hair fragments resembling rodent or cat hairs, human hair fragments, insect fragments, larvae, weevils, feather barbs, and unidentified