

**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

hairs; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 12, 1946. A plea of guilty having been entered, the defendant was fined \$500.

**9615. Adulteration and misbranding of ice cream cones. U. S. v. 15 Cases of Ice Cream Cones (and 2 other seizure actions against ice cream cones). Default decrees of condemnation and destruction.** (F. D. C. Nos. 16705, 17086, 17087. Sample Nos. 3113-H, 11178-H, 11180-H, 11181-H.)

**LIBELS FILED:** July 20 and August 4, 1945, District of Columbia and District of Maine.

**ALLEGED SHIPMENT:** June 25 and 28 and July 3, 1945, by the Eastern Baking Co., from Chelsea, Mass.

**PRODUCT:** Ice cream cones. 150 cartons at Washington, D. C., 50 cartons at Bath, Maine, and 1,100 cartons at Lewiston, Maine. Each carton contained 100 ice cream cones.

**LABEL, IN PART:** (Cartons) "Toot Cake Cup Cones," "Tops in Taste Fro-joy dripless Ice Cream Cake Cones," or "Fro-joy Cake Cones Guarantee of Purity Fro-joy Cones are made under rigid, sanitary conditions."

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

Misbranding, Section 403 (a), (one lot) the statement on the carton, "made under rigid, sanitary conditions," was false and misleading.

DISPOSITION: September 25 and November 14, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**9616. Adulteration of rye knackebrod and rye hardtack. U. S. v. 88 Cases of Rye Knackebrod and 72 Cartons of Rye Hardtack. Default decrees of condemnation and destruction.** (F. D. C. Nos. 16918, 16950. Sample Nos. 18254-H, 18255-H, 20767-H, 20768-H.)

**LIBELS FILED:** On or about July 26 and August 6, 1945, Southern District of Iowa and Western District of Missouri.

**ALLEGED SHIPMENT:** Between the approximate dates of May 16 and July 5, 1945, by the Ser Baking Co., from Minneapolis, Minn.

**PRODUCT:** 88 cases, each containing 12 ½-pound packages, of rye knackebrod at Des Moines, Iowa; and 23 cartons, each containing 24 ½-pound packages, and 49 cartons, each containing 12 ½-pound packages, of rye hardtack at Kansas City, Mo.

**LABEL, IN PART:** "Manchester's Swedish Style Rye Knackebrod," or "Ser-Ry."

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

DISPOSITION: August 22 and October 12, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**9617. Adulteration of Rytak. U. S. v. 51 Cases of Rytak. Default decree of condemnation and destruction.** (F. D. C. No. 16806. Sample No. 27840-H.)

**LIBEL FILED:** July 25, 1945, District of Oregon.

**ALLEGED SHIPMENT:** On or about June 20, 1945, by Hudson Duncan and Co., from Seattle, Wash.

**PRODUCT:** 51 cases, each containing about 25 pounds, of Rytak at Portland, Oreg.

**LABEL, IN PART:** "Rytak Knackerbrod Made from Pure Rye."

**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 beetles.

DISPOSITION: September 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.