

11318. Misbranding of fruit cake. U. S. v. 1,306 Cases * * *. (F. D. C. No. 20737. Sample No. 57062-H.)

LABEL FILED: August 19, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 13, 18, 20, and 21, and October 1, 1945, by the Affiliated Bakers Co., from Paterson, N. J.

PRODUCT: 1,306 cases each containing 6 fruit cakes at Boston, Mass. Examination showed that the product was a fruit-type cake, with no taste or odor of rum or brandy.

LABEL, IN PART: "Joe and Jane Rum and Brandy Fruit Cake."

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette on the label showing liquid pouring over a fruit cake from the spigot of a barrel and the label statements, "Rum and Brandy Fruit Cake" and "Generous Flagons of Fine Imported Rum and Brandy are Used" were false and misleading as applied to a fruit-type cake with no taste or odor of rum or brandy and containing little, if any, rum or brandy.

DISPOSITION: November 13, 1947. Kenmore Square Garage, Inc., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

CORN MEAL

11319. Adulteration of corn meal. U. S. v. Alabama Feed Mills and Robert E. Winstead. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 20461. Sample No. 49244-H.)

INFORMATION FILED: August 7, 1946, Northern District of Alabama, against the Alabama Feed Mills, a partnership, and Robert E. Winstead, partner and plant manager, Tuscaloosa, Ala.

ALLEGED SHIPMENT: On or about March 19, 1946, from the State of Alabama into the State of Mississippi.

LABEL, IN PART: "Bama Tuscaloosa Unbolted Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta fragments and rodent hairs.

DISPOSITION: August 23, 1946. A plea of nolo contendere having been entered on behalf of both defendants, the court imposed a fine of \$100.

11320. Adulteration of corn meal. U. S. v. 21 Bales * * *. (F. D. C. No. 21106 Sample No. 52005-H.)

LABEL FILED: September 26, 1946, Northern District of Iowa.

ALLEGED SHIPMENT: On or about October 16, 1945, by Crete Mills, from Crete, Nebr.

PRODUCT: 21 bales, each containing 10 5-pound bags, of yellow corn meal at Cedar Falls, Iowa.

LABEL, IN PART: "Victor Yellow Corn Meal."

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 live larvae and webbing.

DISPOSITION: October 22, 1946. Diamond Brothers, Cedar Falls, Iowa, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into stock feed, under the supervision of the Federal Security Agency.

11321. Adulteration of corn meal. U. S. v. 402 Bags * * *. (F. D. C. No. 20660. Sample No. 53274-H.)

LABEL FILED: August 16, 1946, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about July 20 and 26, 1946, by Roy Wilkes, from Henager, Ala.

PRODUCT: 342 10-pound bags and 60 5-pound bags of corn meal at Chattanooga, Tenn.