

# FEDERAL SECURITY AGENCY

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

11701-11850

#### FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

OSCAR R. EWING, *Administrator, Federal Security Agency.*

WASHINGTON, D. C., *March 17, 1948.*

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#### CEREALS AND CEREAL PRODUCTS

##### BAKERY PRODUCTS

**11701. Adulteration of bakery products. U. S. v. Grocers Baking Co., Inc., of Tennessee. Plea of nolo contendere. Fine, \$1,800. (F. D. C. No. 21499. Sample Nos. 13327-H to 13329-H, incl., 14161-H, 14164-H, 14166-H.)**

**INFORMATION FILED:** December 17, 1946, Eastern District of Tennessee, against the Grocers Baking Co., Inc., of Tennessee, Johnson City, Tenn.

**ALLEGED SHIPMENT:** On or about September 21 and 22, 1945, and February 9, 1946, from the State of Tennessee into the States of Kentucky and Virginia.

**LABEL, IN PART:** (Portion) "Fruit Pies," "Honey-Crust Sweet Rolls," or "Sandwich White Bread Honey-Krust Brand."

**NATURE OF CHARGE:** Coconut pies and butterscotch pies. Adulteration, Section 402 (a) (1), the articles bore and contained poisonous and deleterious substances, which may have rendered the products injurious to health.

Peach pie, sweet rolls, and sandwich bread. Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of rodent hairs, rodent hair fragments, and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** March 3, 1947. A plea of nolo contendere having been entered on behalf of the corporation, the court imposed a fine of \$1,800.

**11702. Adulteration of cakes. U. S. v. Old Plantation Baking Co. Plea of guilty. Fine, \$1,000.** (F. D. C. No. 14316. Sample Nos. 69365-F, 69371-F, 69374-F, 69375-F.)

**INDICTMENT RETURNED:** June 14, 1945, District of Montana, against the Old Plantation Baking Co., a corporation, Helena, Mont.

**ALLEGED SHIPMENT:** On or about July 27 and 28, 1944, from the State of Montana into the States of Idaho and Washington.

**LABEL, IN PART:** (Portion) "Eddy's Gold Cake [or "Burnt Sugar Cake"] Eddy's Bakery General Offices, Helena, Mont."

**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-like hairs, feather barbules, an animal hair, an insect, and nondescript dirt; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 19, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$1,000 was imposed.

**11703. Adulteration of ice cream cones. U. S. v. 48 Cases \* \* \*. (F. D. C. No. 21232. Sample No. 41957-H.)**

**LABEL FILED:** October 11, 1946, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about July 21 and September 3, 1946, by the Maryland Baking Co., from Baltimore, Md.

**PRODUCT:** 48 cases, each containing 10 cartons, of ice cream cones at Hampton, Va.

**LABEL, IN PART:** (Carton) "This Carton Contains 100 Mabco Cake Cones."

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

**DISPOSITION:** November 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11704. Adulteration of ice cream cone cups. U. S. v. 25 Cases \* \* \*. (F. D. C. No. 21362. Sample Nos: 60774-H, 60775-H.)**

**LABEL FILED:** October 24, 1946, Western District of New York.

**ALLEGED SHIPMENT:** On or about September 10, 1945, and September 9, 1946, by the Maryland Baking Co., from Baltimore, Md.

**PRODUCT:** 25 cases, each containing 2 cartons, of ice cream cone cups at Rochester, N. Y.

**LABEL, IN PART:** "300 Eat it All No. 5 Kups."

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

**DISPOSITION:** January 6, 1947. Default decree of condemnation and destruction.

**11705. Adulteration of ice cream cone cups. U. S. v. 32 Cases \* \* \*. (F. D. C. No. 21214. Sample No. 41954-H.)**

**LABEL FILED:** October 3, 1946, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about September 7, 1946, by the Maryland Baking Co., from Baltimore, Md.