

**ALLEGED SHIPMENT:** On or about March 24 and April 5, 1949, from the State of Tennessee into the States of Mississippi and Arkansas.

**LABEL, IN PART:** (Portion) "Honey Comb Cake Cones."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, mites, larvae, and cat hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 6, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against the company and a fine of \$50 against each individual.

**15707. Adulteration of pastry sticks and adulteration and misbranding of fruit cake. U. S. v. 12 Tins, etc. (F. D. C. No. 28240. Sample Nos. 11783-K, 11785-K.)**

**LIBEL FILED:** October 28, 1949, District of Connecticut.

**ALLEGED SHIPMENT:** On or about September 15, 1949, by the Roll Biscuit Co., from New York, N. Y.

**PRODUCT:** 12 8-ounce tins of pastry sticks and 21 1-pound tins and 9 2-pound tins of fruit cake at West Hartford, Conn.

**LABEL, IN PART:** "Chocolate Cream Filled Pastry Sticks" and "Aunt Nancy's Rum and Brandy Fruit Cake."

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

Misbranding, Section 403 (a), the designation "Rum and Brandy" appearing on the label of the fruit cake was false and misleading as applied to an article which contained little or no rum or brandy; and, Section 403 (k), the fruit cake contained artificial color and failed to bear labeling stating that fact.

**DISPOSITION:** January 11, 1950. Default decree of condemnation and destruction.

**15708. Adulteration of fruit cake. U. S. v. 312 Cases \* \* \*. (F. D. C. No. 28278. Sample No. 57423-K.)**

**LIBEL FILED:** November 9, 1949, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 17, 1947, from Waco, Tex.

**PRODUCT:** 312 cases each containing 24 1-pound fruit cakes at Jersey City, N. J.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its rancid odor and taste. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 19, 1949. Default decree of condemnation and destruction.

## FLOUR

Nos. 15709 to 15714 report actions involving flour that was insect- or rodent-infested, or both. (In those cases in which the time of contamination

was known, that fact is stated in the notice of judgment.) The flour reported in No. 15715 failed to meet the standard for enriched flour.

**15709. Adulteration of self-rising flour and corn meal. U. S. v. Tell City Flouring Mills. Plea of guilty. Fine, \$500. (F. D. C. No. 28184. Sample Nos. 52163-K to 52165-K, incl., 52167-K.)**

**INFORMATION FILED:** January 18, 1950, Southern District of Indiana, against the Tell City Flouring Mills, a corporation, Tell City, Ind.

**ALLEGED SHIPMENT:** On or about July 29 and August 4, 1949, from the State of Indiana into the State of Kentucky.

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

**DISPOSITION:** February 7, 1950. A plea of guilty having been entered, the court imposed a fine of \$500.

**15710. Adulteration of bromated flour. U. S. v. Russell-Miller Milling Co. and Herman Norman. Pleas of guilty. Fine of \$600 against company and \$50 against individual. (F. D. C. No. 28161. Sample No. 45312-K.)**

**INFORMATION FILED:** October 10, 1949, District of North Dakota, against the Russell-Miller Milling Co., a corporation, Valley City, N. Dak., and Herman Norman, head miller of the company's Valley City mill.

**ALLEGED SHIPMENT:** On or about June 24, 1949, from the State of North Dakota into the State of Iowa.

**LABEL, IN PART:** "Powerful Flour Bleached-Bromated Unenriched Manufactured by Russell-Miller Milling Co. Minneapolis Minn."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of larvae, larva cast skins, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 7, 1950. Pleas of guilty having been entered, the court imposed a fine of \$600 against the company and a fine of \$50 against the individual.

**15711. Adulteration of bromated flour. U. S. v. 62 Bags \* \* \*. (F. D. C. No. 28306. Sample No. 48587-K.)**

**LABEL FILED:** November 21, 1949, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 16, 1949, from Black Rock, N. Y.

**PRODUCT:** 62 100-pound bags of bromated flour at Emmaus, Pa., in possession of E. B. Frey, R. D. #2.

**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 urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 27, 1949. Edwin B. Frey, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the