

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 22401-22450

Adulteration, Section 402 (a) (1), the article contained a poisonous or deleterious substance which may have rendered it injurious to health; Section 402 (a) (2), the article contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent of the article had been in whole or in part omitted or abstracted therefrom; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; Section 402 (d), the article was confectionery, and it contained a nonnutritive substance; and, Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (e), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; Section 403 (g) (1), the article purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to such definition and standard; and, Section 403 (j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information as the Secretary has determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

CANDY

22401. Candy. (F. D. C., No. 37756. S. Nos. 5-488/9 M.)

QUANTITY: 10 cases, 100 bars each, at Detroit, Mich.

SHIPPED: 12-13-54, from Chicago, Ill., by Charland Candy Mfg. Co.

LABEL IN PART: (Bar) "Charland's Pecan Fudge Candy Bar."

LIBELED: 1-25-55, E. Dist. Mich.

CHARGE: 402 (a) (3)—contained insects, insect parts, and cat hairs; and, 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 3-22-55. Default—destruction.

22402. Slimettes chocolates. (F. D. C. No. 37346. S. Nos. 38-232/4 L.)

QUANTITY: 150 boxes at Irvington, N. J.

SHIPPED: 9-27-54, from Milford, Conn., by Casanova Chocolate Co., Inc.

LABEL IN PART: (Box) "Dietetic Slimettes Chocolates Low Calorie Sugar Free Salt Free Quarter Pound Net."

LIBELED: 11-5-54, Dist. N. J.

CHARGE: 402 (d)—the product was confectionery and contained a nonnutritive substance, calcium cyclamate, when shipped; 403 (a)—the label statement

"Slimettes Low Calorie Sugar Free Salt Free" was false and misleading since the product was not low in calories, contained some sugar, and had a significant amount of sodium; and, 403 (j)—the product purported to be a food for special dietary uses by reason of its use as a means of regulating the intake of calories for the purpose of controlling body weight, and its label failed to bear, as required by regulations, a statement of the number of available calories supplied by a specified quantity of the food.

DISPOSITION: 12-15-54. Default—delivered to a charitable organization.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

22403. Bakery products. (F. D. C. No. 37251. S. Nos. 83-133/4 L, 88-878/80 L, 88-882/5 L.)

INFORMATION FILED: 3-17-55, N. Dist. Ill., against Casey's Cakes & Cookies, Inc., Evanston, Ill., and Casimir Olechnowicz, president of the corporation.

SHIPPED: Between 6-22-54 and 6-24-54, N. Dist. Ill.

LABEL IN PART: (Pkg.) "Casey's English Muffins [or "Honey Almond Coffee Cake," "Honey Fruit Coffee Cake," "Sugar Cookies," "Pecan Butter Coffee Cake," "Brown'n Serve Poppy Seed Sticks," "Almond Crescents," "Lady Fingers," "Oatmeal Cookies," or "Lemon Cookies"]."

CHARGE: 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-13-55. Corporation fined \$100; individual fined \$200.

FLOUR

22404. Flour. (F. D. C. No. 37754. S. No. 5-599 M.)

QUANTITY: 581 100-lb. bags at Waupun, Wis.

SHIPPED: 12-13-54, from Hutchinson, Kans., by Commander-Larabee Milling Co.

LABEL IN PART: "Grade #1 Wheat Flour Bleached Unenriched."

LIBELED: 1-19-55, E. Dist. Wis.

CHARGE: 402 (a) (3)—contained moldy flour when shipped.

DISPOSITION: 2-15-55. Consent—claimed by Commander-Larabee Milling Co. and denatured for use as hog feed.

MACARONI AND NOODLE PRODUCTS

22405. Macaroni, spaghetti, and egg noodles. (F. D. C. No. 36645. S. Nos. 65-993 L, 70-179 L, 71-167/8 L, 72-524 L, 79-592 L, 84-355/6 L.)

INFORMATION FILED: 11-5-54, N. Dist. Ill., against Grand Macaroni Co., a partnership, Chicago, Ill., and Leo Pier Dominici, a partner.

SHIPPED: Between 2-4-54 and 3-15-54, from Illinois to Indiana, Kentucky, Pennsylvania, and Maryland.

CHARGE: 402 (a) (3)—contained insects, insect fragments, rodent hairs, and rodent excreta; and, 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.