

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS  
REPORTED IN F. N. J. NOS. 22451-22550

*Adulteration*, 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; 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; 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 AND SUGAR

### CANDY

22451. Candy. (F. D. C. No. 37848. S. Nos. 78-392/3 L, 2-161 M, 6-166 M, 9-262 M.)

INFORMATION FILED: 4-20-55, E. Dist. Pa., against Falcon Nut & Candy Co., a corporation, Philadelphia, Pa., Mary P. Falcone, president, and Charles J. Falcone, secretary and treasurer.

SHIPPED: 10-13-54 and 10-14-54, from Pennsylvania to California, Indiana, New York, and West Virginia.

LABEL IN PART: "Falcon Cocoanut Brittle with peanuts," "Very Thin Peanut Brittle," "Falcon Dainty Mints," "Peanut Squares," or "Milk Chocolate Covered Dates."

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

PLEA: Guilty.

DISPOSITION: 9-9-55. Corporation fined \$250; each individual fined \$25.

22452. Bubble gum. (F. D. C. No. 37837. S. Nos. 60-793 L, 61-666 L, 4-930 M, 6-064 M, 10-049 M, 58-706 M.)

INFORMATION FILED: 4-1-55, N. Dist. Ohio, against Shelby Gum Co., Inc., Shelby, Ohio, and Lutie S. Wilsdon, president.

SHIPPED: Between 8-17-54 and 11-2-54, from Ohio to Indiana, Iowa, Michigan, North Carolina, and Oklahoma.

ACCOMPANYING LABELING: (Wrapper) "E-Z-Blo" or "Super Duper Shelby's Blo Bubble."

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

PLEA: Guilty.

DISPOSITION: 4-15-55. Corporation and individual each fined \$500.

### SUGAR

22453. Sugar. (F. D. C. No. 38009. S. No. 14-959 M.)

QUANTITY: 700 100-lb. bags in a railroad car at San Jose, Calif.

SHIPPED: 3-18-55, from Corpus Christi, Tex.

RESULTS OF INVESTIGATION: Inspection showed that the railroad car in which the article was shipped was rodent infested.

LIBELED: 4-5-55, N. Dist. Calif.

CHARGE: 402 (a) (3)—contained rodent excreta and rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 4-12-55. Consent—claimed by Southern Pacific Co. of San Francisco, Calif. Segregated, 66 100-lb. bags denatured.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

22454. Bakery products. (F. D. C. No. 34834. S. Nos. 8-691/2 L, 8-694/5 L, 8-697 L.)

INFORMATION FILED: On or about 5-15-53, N. Dist. N. Y., against Charles Freihofer Baking Co., Inc., Troy, N. Y., and Charles F. Freihofer, a vice president, and Edwin H. Freihofer, Jr., treasurer and production manager.

SHIPPED: 11-19-52, from New York to Massachusetts.

LABEL IN PART: "Freihofer's Star Rolls Seed [or "Streusel Buns," "Glazed Yeast Raised Doughnuts," or "Butter Parkerhouse"]."

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

PLEA: Guilty.

DISPOSITION: 9-14-55. Corporation fined \$1,000; each individual fined \$250.

22455. Armenian bread wafers. (F. D. C. Nos. 38073, 38074. S. No. 14-917 M.)

QUANTITY: 23 cases, 12 1-lb. boxes each, at Oakland and San Francisco, Calif.

SHIPPED: 4-21-55, from Watertown, Mass., by Euphrates Bakery.

LABEL IN PART: (Box) "Euphrates Armenian Bread Wafers Whole Wheat."

LIBELED: 6-15-55, N. Dist. Calif.

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

DISPOSITION: 8-10-55. Default—destruction.

22456. Armenian bread wafers. (F. D. C. No. 37988. S. No. 16-598 M.)

QUANTITY: 15 cases, 12 1-lb. pkgs. each, at Seattle, Wash.

SHIPPED: 4-8-55 and 4-21-55, from Watertown, Mass., by Euphrates Bakery.

LABEL IN PART: (Pkg.) "Euphrates Armenian Bread Wafers Whole Wheat."