

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 23751-23850

Adulteration, Section 402 (a) (2), the article was a raw agricultural commodity and contained a pesticide chemical which is unsafe within the meaning of Section 408 (a); 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) (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; Section 402 (c), the article contained a coal-tar color other than one from a batch that had been certified in accordance with regulations; Section 408 (a), a poisonous or deleterious pesticide chemical, or a pesticide chemical which is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity, and no tolerance or exemption from the requirement of a tolerance for such pesticide in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (e) (2), the article was in package form, and it failed to bear a label containing 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; 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.

Oleomargarine, Section 407 (c), colored oleomargarine or colored margarine was served at a public eating place, and each separate serving neither bore, nor was accompanied by, labeling identifying it as oleomargarine or margarine, and it was not triangular in shape.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

23751. Pumpernickel bread. (F. D. C. No. 39381. S. No. 45-872 M.)

INFORMATION FILED: 1-15-57, Dist. N. J., against Polish Baking Co., a corporation, Camden, N. J., and Leon Glowacki, president, and Stephen Glowacki, vice president.

SHIPPED: 7-3-56, from New Jersey to Pennsylvania.

LABEL IN PART: (Loaf) "Pumpernickle Bread."

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

PLEA: Guilty.

DISPOSITION: 6-21-57. Corporation—\$500 fine; individuals placed on probation for 3 years, to be supervised by the Food and Drug Administration.