

tions and it fell below the applicable standard of fill of container; Section 403(i), the article was not subject to the provisions of Section 403(g), and (1) its label failed to bear the common or usual name of the article, and (2) the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; Section 403(j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information concerning its vitamin, mineral, and other dietary properties as the Secretary had determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses; and Section 403(k), the article contained artificial coloring, or a chemical preservative, and it failed to bear labeling stating that fact.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

28301. White bread. (F.D.C. No. 46724. S. Nos. 17-691 R, 49-697 R.)

INFORMATION FILED: 4-19-62, Dist. Colo., against Joe's Bakery, a partnership, and Allen W. Brown and Woodrow W. Ward, partners, Trinidad, Colo.

SHIPPED: 10-7-60 and 5-17-61, from Colorado to New Mexico.

LABEL IN PART: (Loaf label) "Joe's [or "Joe's Sliced"] Net Weight 18 oz. [or "16 Oz."] Joe's Bakery, Trinidad, Colorado."

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

PLEA: Guilty.

DISPOSITION: 6-1-62. Partnership—\$100 fine; each individual—probation for 2 years.

28302. Fruit bars. (F.D.C. No. 45358. S. Nos. 19-636/7 R.)

QUANTITY: 101 ctns., each containing 12 1-lb. pkgs. of Venus Apricot Bars and 70 ctns., each containing 12 1-lb. pkgs. of Venus Strawberry Bars, at Dearborn, Mich.

SHIPPED: 9-30-60 and 11-21-60, from Los Angeles, Calif., by Venus Foods.

LABEL IN PART: (Pkg.) "Venus Apricot Bars * * * Ingredients: Fruit Solids * * * Apricots * * * Vitamin C Added. * * * Venus Foods—Los Angeles 58, Calif. * * *" and "Venus Strawberry Bars * * * Ingredients: Fruit Solids * * * Strawberries * * * Vitamin C Added. * * * Venus Foods—Los Angeles 58, Calif."

LIBELED: 1-23-61, E. Dist. Mich.

CHARGE: 402(b) (1)—when shipped, the valuable constituents (Apricot Bars) apricots and (Strawberry Bars) strawberries, had been in whole or in part omitted or abstracted therefrom; 402(b) (4)—figs and dates had been mixed or packed with the articles so as to increase their bulk or weight and make them appear of greater value than they were; and 403(a)—the label statements "Apricot Bars" and "Strawberry Bars" and the label vignettes depicting whole fresh fruit, apricots and strawberries, were false and misleading as applied to an article (Apricot Bars) containing no apricots, and an article (Strawberry Bars) containing a mixture of figs and dates and some strawberries; and 403(j)—the articles were represented for special dietary use by reason of their vitamin C content, and their labels failed to