

**LABEL, IN PART:** "Drink CoVee Prepare—The Same as Coffee \* \* \* Made from Fresh Roasted Soy Beans—Cereals and Chicory."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a mixture of ground roasted soy beans and ground roasted malted barley had been substituted in whole or in part for soy beans, cereals, and chicory, which the article purported to be.

Misbranding, Section 403 (a), the statement on the label "Chicory for Flavor," was false and misleading as applied to an article containing no chicory; Section 403 (i) (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 since "Cereals" is not the common or usual name for barley.

**DISPOSITION:** November 3 and 10, 1943. No claimant having appeared, judgments of condemnation were entered and it was ordered that the Waco lot be turned over to the Food and Drug Administration, and that the Emeryville lot be destroyed. On January 8, 1944, an amended decree was entered, ordering that the Waco lot be delivered by the United States marshal to a charitable institution.

**6202. Adulteration of pineapple-flavored fountain sirup. U. S. v. 15 Jugs of Pineapple-Flavored Fountain Syrup. Default decree of condemnation and destruction.** (F. D. C. No. 11587. Sample No. 51259-F.)

**LABEL FILED:** January 6, 1944, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 12, 1943, by the National Processed Foods Corporation, from Brooklyn, N. Y.

**PRODUCT:** 15 1-gallon jugs of pineapple-flavored fountain sirup at Springfield, Mass.

**LABEL, IN PART:** "National Concentrated Pineapple Flavored Fountain Syrup Contains Pineapple Juice, Cane Sugar, Citric Acid 1-10 of 1% Benzoate of Soda."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), an artificially flavored and colored sugar solution, acidulated with phosphoric acid or acid phosphate and containing no pineapple juice or citric acid, had been substituted for concentrated pineapple-flavored fountain sirup.

Misbranding, Section 403 (a), the statements appearing on the label of the article, "Concentrated Pineapple Flavored Fountain Syrup \* \* \* Pineapple Juice \* \* \* Citric Acid," were false and misleading as applied to an artificially flavored and colored sugar solution, acidulated with phosphoric acid or acid phosphate and containing no pineapple juice or citric acid; Section 403 (b), the product was offered for sale under the name of another food; Section 403 (c), it was an imitation of another food, pineapple sirup, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

**DISPOSITION:** February 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## CEREAL AND CEREAL PRODUCTS

### ALIMENTARY PASTES

**6203. Adulteration of egg noodles. U. S. v. 33 Cases, 24 Cases, and 60 Cases of Egg Noodles. Default decrees of condemnation and destruction.** (F. D. C. Nos. 11206, 11283. Sample Nos. 1457-F, 1458-F, 59428-F.)

**LABELS FILED:** December 3, 1943, Northern District of Indiana; December 9, 1943, Western District of Michigan.

**ALLEGED SHIPMENT:** From on or about September 14 to November 13, 1943, by Mrs. Kelley's Noodle Kitchen, from Dayton, Ohio.

**PRODUCT:** 33 cases, each containing 24 ½-pound packages, and 24 cases, each containing 12 1-pound packages, at Fort Wayne, Ind.; and 60 cases, each containing 24 ½-pound packages of egg noodles, at Sturgis, Mich.

**LABEL, IN PART:** "Perfect's Brand 100% Pure Egg Noodles Packed for A. H. Perfect & Co. Inc."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances by reason of the presence of one or more of the following types of filth: Rodent hair fragments, insect fragments, and fragments resembling rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** January 8 and May 13, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**6204. Adulteration of egg noodles. U. S. v. 124 Cases of Egg Noodles. Default decree of condemnation and destruction.** (F. D. C. No. 11485. Sample No. 48149-F.)

**LABEL FILED:** December 21, 1943, Middle District of Tennessee.

**ALLEGED SHIPMENT:** On or about March 25 and April 2, 1943, by the Noody Products Co., from Toledo, Ohio.

**PRODUCT:** 124 cases, each containing 24 packages, of egg noodles, at Nashville, Tenn.

**LABEL, IN PART:** "Noody Noodles."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect fragments, and rodent hair fragments.

**DISPOSITION:** February 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6205. Adulteration of Tenderoni. U. S. v. 149 Cartons of Tenderoni. Default decree of condemnation and destruction.** (F. D. C. No. 11216. Sample No. 49758-F.)

**LABEL FILED:** December 1, 1943, Western District of New York.

**ALLEGED SHIPMENT.** On or about April 2, 1943, by Van Camp's, Inc., from Joliet, Ill.

**PRODUCT:** 149 cartons, each containing 24 packages, of Tenderoni at Elmira, N. Y.

**LABEL, IN PART:** (Package) "Van Camp's Tenderoni."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, pupae, cast skins, head capsules, and insect fragments.

**DISPOSITION:** February 28, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. It was used for hog feed.

#### BAKERY PRODUCTS

**6206. Adulteration of bakery products. U. S. v. Pennsylvania Baking Co., and William W. Scheuer. Pleas of guilty. Fine of \$50 on each of 2 counts. Sentence suspended on third count and defendants placed on 1 year's probation.** (F. D. C. No. 11350. Sample Nos. 45595-F, 45597-F, 56321-F.)

**INFORMATION FILED:** On February 21, 1944, in the Middle District of Pennsylvania, against the Pennsylvania Baking Co., a corporation, and William Scheuer, Scranton, Pa.

**ALLEGED SHIPMENT:** On or about August 16 and 31, 1943, from the State of Pennsylvania into the State of New York.

**LABEL, IN PART:** "Wine Biscuits," or "Gem Salted [or "Daisy"], Oyster Crackers."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, larvae fragments, and, in one portion, a cat hair fragment.

**DISPOSITION:** March 20, 1944. Pleas of guilty having been entered, each defendant was fined \$50 on each of counts 1 and 2. Imposition of sentence was suspended on count 3, and the defendants were placed on 1 year's probation.

**6207. Adulteration of bakery products. U. S. v. Fred P. Rentz and Marion C. Morris (U. S. Baking Co.). Pleas of guilty. Defendants placed on 2 years' probation.** (F. D. C. No. 9658. Sample Nos. 28470-F, 28471-F, 28698-F, to 28700-F, incl.)

**INFORMATION FILED:** On June 22, 1943, in the Northern District of Georgia, against Fred P. Rentz and Marion C. Morris, trading as copartners under the firm name U. S. Baking Co., Atlanta, Ga.