

imitated; and, Section 403 (k), they contained artificial flavoring and artificial coloring, and they failed to bear labeling stating that fact.

**DISPOSITION:** March 22, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8658. Misbranding of coffee. U. S. v. Coffee Corporation of America. Plea of nolo contendere to counts 2 and 3; fine, \$600 and costs. Judgment of not guilty on count 1.** (F. D. C. No. 11426. Sample Nos. 35558-F, 49621-F, 49622-F.)

**INFORMATION FILED:** February 2, 1945, Northern District of Illinois. Information in 3 counts against the Coffee Corporation of America, Chicago, Ill.

**ALLEGED SHIPMENT:** Between the approximate dates of August 30 and November 17, 1943, from the State of Illinois into the States of North Carolina and New York.

**LABEL, IN PART:** (Portion of jar labels) "Arrow Blend Vacuum Coffee One Pound Net Weight \* \* \* Distributors Buffalo Sugar and Coffee Service Buffalo, N. Y."; (remainder) "Coffee One Pound Net Weight."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statements "One Pound Net Weight" were false and misleading since the jars contained less than 1 pound net weight; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** June 14, 1945. A plea of nolo contendere having been entered on behalf of the defendant to count 2 and count 3, the court imposed a fine of \$600 on those counts. The court found the defendant not guilty on count 1.

## CEREALS AND CEREAL PRODUCTS\*

### BAKERY PRODUCTS

**8659. Adulteration of bread. U. S. v. Charles Peterson (Original Wonder Bakers). Plea of nolo contendere. Fine, \$300 and costs.** (F. D. C. No. 12588. Sample Nos. 50192-F, 50199-F, 50243-F.)

**INFORMATION FILED:** October 10, 1944, Western District of Pennsylvania, against Charles Peterson, trading as the Original Wonder Bakers, Pittsburgh, Pa.

**ALLEGED SHIPMENT:** On or about January 4 and March 18, 1944, from the State of Pennsylvania into the State of Ohio.

**LABEL, IN PART:** (One shipment of bread) "Original Wonder Bread."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, hairs resembling rodent hairs, and a cat hair.

**DISPOSITION:** November 24, 1944. The defendant having entered a plea of nolo contendere to all counts, the court imposed a fine of \$100 on count 2 and continued the case as to counts 1 and 3 until the May term of court. On October 25, 1945, the court imposed a fine of \$100 on each of the two remaining counts, a total fine of \$200, plus costs.

**8660. Adulteration of ice cream cones. U. S. v. 5 Cases, 10 Cases, and 5 Cases of Ice Cream Cones. Default decree of condemnation. Product ordered used for hog feed.** (F. D. C. No. 15156. Sample Nos. 99151-F to 99153-F, incl.)

**LABEL FILED:** January 24, 1945, Eastern District of Illinois.

**ALLEGED SHIPMENT:** On or about December 26, 1944, by the Crispo Cake Cone Co., St. Louis, Mo.

**PRODUCT:** 10 cases, each containing 10 100-cone cartons, and 10 cases, each containing 4 250-cone cartons, of ice cream cones at East St. Louis, Ill.

**LABEL, IN PART:** "Crispo Sugar [or "Cup Sugar," or "Flavor-ized Flare Tops"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** February 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered used for hog feed.

\*See also No. 8763.

## FLOUR

Nos. 8661 to 8672 report actions involving flour that was insect- or rodent-infested, or both. (In those cases in which the time of contamination was known, that fact is stated in the notice of judgment.) In addition, the flour reported in Nos. 8673 and 8674 failed to meet the standard for enriched flour.

**8661. Adulteration of flour. U. S. v. 81 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 15114. Sample No. 412-H.)

**LIBEL FILED:** January 30, 1945, Southern District of Georgia.

**ALLEGED SHIPMENT:** On or about December 5, 1944, from Greenville, Tex.

**PRODUCT:** 81 100-pound bags of flour at Savannah, Ga., in the possession of the International Milling Co. The flour was stored under insanitary conditions after shipment. The bags had been rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination of the article showed that it was contaminated with rodent urine.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** February 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8662. Adulteration of flour. U. S. v. 294 Bags of Flour. Consent decree ordering product released under bond.** (F. D. C. No. 15004. Sample No. 29022-H.)

**LIBEL FILED:** January 20, 1945, Northern District of California.

**ALLEGED SHIPMENT:** On or about June 22, 1944, by the Collins Flour Mills, from Pendleton, Oreg.

**PRODUCT:** 294 100-pound bags of flour at San Francisco, Calif.

**LABEL, IN PART:** "Upright Pure Bluestem Bakers Patent Flour Bleached."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, and insect excreta.

**DISPOSITION:** March 14, 1945. The Coast Dakota Flour Co., claimant, having consented to the entry of a decree, judgment was entered ordering the product released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**8663. Adulteration of flour. U. S. v. 52 Bags of Flour. Default decree of condemnation. Product ordered delivered to a public institution.** (F. D. C. No. 15257. Sample No. 434-H.)

**LIBEL FILED:** February 12, 1945, Middle District of Georgia.

**ALLEGED SHIPMENT:** On or about October 24, 1944, from Evansville, Ind.

**PRODUCT:** 52 25-pound bags of flour at Cairo, Ga., in the possession of the H. V. Kell Co. This product had been stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product was contaminated with urine.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** March 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

**8664. Adulteration of flour. U. S. v. 1,256 Bags of Flour. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 15225. Sample No. 13410-H.)

**LIBEL FILED:** February 12, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 14, 1944, from Atchison, Kans.

**PRODUCT:** 1,256 25-pound bags of flour at Toledo, Ohio, in the possession of the Bartley Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the article contained rodent pellets.