

10008. Adulteration and misbranding of enriched bread. U. S. v. Central Baking Co. Plea of guilty. Fine, \$320. (F. D. C. No. 15550. Sample Nos. 4167-F, 4176-F, 67822-F, 68246-F.)

INFORMATION FILED: July 20, 1945, Southern District of Ohio, against the Central Baking Co., a partnership, Cincinnati, Ohio.

ALLEGED SHIPMENT: On or about December 7 and 20, 1943, and May 3 and September 13, 1944, from the State of Ohio into the State of Kentucky.

PRODUCT: This product consisted of bread which was labeled to indicate that it had been made from enriched flour. The bread was deficient in certain enriching ingredients in the following respects: One shipment contained not more than 0.29 mg. of vitamin B₁ and not more than 0.5 mg. of riboflavin per pound; a second shipment contained not more than 0.85 mg. of vitamin B₁ per pound; a third shipment contained not more than 0.60 mg. of vitamin B₁, not more than 0.5 mg. of riboflavin, and not more than 9.5 mg. of niacin, per pound; and the fourth shipment contained not more than 0.29 mg. of vitamin B₁, not more than 0.36 mg. of riboflavin, and not more than 4.19 mg. of niacin, per pound. Bread made from enriched flour should contain not less than 1.1 mg. of vitamin B₁, not less than 0.7 mg. of riboflavin, and not less than 10 mg. of niacin, per pound.

LABEL, IN PART: Enriched Society Bread. (One shipment) "Enriched Society Bread * * * Six ounces of this bread supply you with at least the following amounts or percentages of your minimum daily requirements for these essential food elements: Vitamin B₁ 37½%"; (other shipment) "Enriched for better nutrition one half pound (about 8 slices) of this bread supplies you with at least the following amounts or percentages of your minimum daily requirements for these essential food substances: Thiamine (Vitamin B-1) 55%."

Enriched Twin Society Bread. (One shipment) "Enriched Twin Society Bread * * * Six ounces of this bread supply you with at least the following amounts or percentages of your minimum daily requirements for these essential food elements: Vitamin B₁ 37½%"; (other shipment) "Enriched for better nutrition one-half pound (about 8 slices) of this bread supplies you with at least the following amounts or percentages of your minimum daily requirements for these essential food substances: Thiamin (Vitamin B-1) 55%, Riboflavin (Vitamin B-2) 17.5% Niacin (another 'B' vitamin) 5 milligrams."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents (the vitamins referred to previously) had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the statements on the quoted labels were false and misleading. These statements represented and suggested that the article contained the nutritional elements which are contained in bread made from enriched flour, and that these elements would furnish the proportions of the minimum daily requirements for the enriching ingredients represented on the labels. The article did not contain certain nutritional elements in the amounts contained in bread made from enriched flour, and it would not furnish the proportions of the minimum daily requirements for the certain enriching ingredients represented.

DISPOSITION: December 19, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$40 on each count, a total fine of \$320.

10009. Adulteration of Swedish Rye Brittle Bread. U. S. v. 98 Cases of Swedish Rye Brittle Bread. Default decree of condemnation and destruction. (F. D. C. No. 17452. Sample No. 29914-H.)

LABEL FILED: September 14, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about August 6, 1945, by the Rye Products Co., from Minneapolis, Minn.

PRODUCT: 98 cases, each containing 12 14-ounce packages, of Swedish Rye Brittle Bread at San Francisco, Calif.

LABEL, IN PART: "Delicatess Brod Genuine Swedish Style Brittle Bread."

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 hairs, larvae, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10010. Adulteration of ice cream cones. U. S. v. 35 Cases of Ice Cream Cones. Default decree of condemnation and destruction. (F. D. C. No. 17015. Sample No. 7215-H.)

LIBEL FILED: August 9, 1945, Northern District of New York.

ALLEGED SHIPMENT: On or about June 30, 1945, by the Eastern Baking Co., from Chelsea, Mass.

PRODUCT: 35 cases each containing 10 boxes of 100 ice cream cones at Schenectady, N. Y.

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 rodent hair fragments, insect fragments, and beetles; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

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

10011. Adulteration of ice cream cones. U. S. v. 25 Cases of Ice Cream Cones. Default decree of condemnation and destruction. (F. D. C. No. 17324. Sample No. 11653-H.)

LIBEL FILED: August 29, 1945, District of Maine.

ALLEGED SHIPMENT: On or about July 10, 1945, by the Crown Baking Co., Inc., from Malden, Mass.

PRODUCT: 25 cases, each containing 10 cartons, of ice cream cones at Bangor, Maine.

LABEL, IN PART: "Pop-Pie Cup Cones."

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 rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10012. Adulteration of oyster crackers. U. S. v. 106 Packages and 202 Packages of Oyster Crackers (and 3 other seizure actions against oyster crackers). Default decrees of condemnation and destruction. (F. D. C. Nos. 17318, 17320 to 17322, incl. Sample Nos. 7906-H, 7908-H, 7909-H, 7911-H, 7912-H.)

LIBELS FILED: August 27 and 28, 1945, Eastern and Southern Districts of New York.

ALLEGED SHIPMENT: Between the approximate dates of July 23 and August 9, 1945, by the Pennsylvania Baking Co., from Scranton, Pa.

PRODUCT: Oyster crackers. 308 packages at New York, N. Y., 242 packages at Long Island City, N. Y., and 472 packages at Brooklyn, N. Y.

LABEL, IN PART: (Packages) "8 Pound Gem Salted Oyster Crackers."

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 rodent hair fragments.

DISPOSITION: September 28 and October 3, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10013. Adulteration of Ry-Krisp Wafers. U. S. v. 42 Cases of Ry-Krisp Wafers (and 2 other seizure actions against Ry-Krisp Wafers). Default decrees of condemnation and destruction. (F. D. C. Nos. 17035, 17226, 17227. Sample Nos. 9388-H, 18262-H, 18271-H.)

LIBELS FILED: August 9 and 28, 1945, Southern District of Iowa and Western District of New York.