

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

10204. Action to restrain the manufacture in the District of Columbia and the shipment in interstate commerce of adulterated bakery products. U. S. v. Athens Baking Co., Thomas Stethopulos, Peter Stethopulos, and Louis Mantis. Injunction granted. (Inj. No. 142.)

COMPLAINT FILED: On or about June 25, 1946, in the District of Columbia, against the Athens Baking Co., a partnership, Washington, D. C., and Thomas Stethopulos, Peter Stethopulos, and Louis Mantis, members of the partnership. The complaint alleged that the defendants had been and were continuing to manufacture in the District of Columbia and introduce and deliver for introduction into interstate commerce bakery products that were adulterated. A factory inspection of August 14, 1944, showed the existence of insanitary conditions resulting from heavy rodent and insect infestation and the presence of cats. Reinspections of October 30, 1944, and March 28, 1946, showed that the insanitary conditions had not been corrected. Samples of the firm's bakery products were examined and found to contain rodent and insect filth.

PRAYER OF COMPLAINT: That a temporary restraining order be granted, followed by a preliminary injunction enjoining the defendants from the commission of the acts complained of, and that, upon final hearing, the preliminary injunction be made permanent.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances; and, Section 402 (a) (4), the products had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth and whereby they may have been rendered injurious to health.

DISPOSITION: October 29, 1946. The defendants having consented to the entry of a decree, an order was entered permanently enjoining the defendants from commission of the acts complained of.

10205. Adulteration of cookies. U. S. v. Superior Biscuit Co., Inc., and Benjamin Shahbaz (also known as M. Cooper). Pleas of guilty. Fine of \$1,000 and costs. (F. D. C. No. 17790. Sample Nos. 22022-H, 22819-H to 22822-H, incl.)

INFORMATION FILED: February 11, 1946, Northern District of Illinois, against the Superior Biscuit Co., Inc., Chicago, Ill., and Benjamin Shahbaz, also known as M. Cooper, the president of the corporation.

ALLEGED SHIPMENT: On or about January 19 and February 1, 1945, from the State of Illinois into the State of Missouri.

LABEL, IN PART: "De Luxe Vanilla Waferette," "Pineapple Delight," "Orange Delight," "Strawberry Delight," or "Chocolate Chip Cookies."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insect fragments, rodent hairs, rodent hair fragments, fragments resembling rodent hairs, and rodent excreta; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 1, 1946. Upon the entry of pleas of guilty, the defendants were fined \$1,000, plus costs.

10206. Adulteration of bread and cake. U. S. v. Martin Baking Co., and Meyer Herman. Pleas of guilty. Fines of \$750 against company and \$250 against individual defendant. (F. D. C. No. 16616. Sample Nos. 18767-H to 18770-H, incl.)

INFORMATION FILED: April 2, 1946, District of Minnesota, against the Martin Baking Co., a partnership, St. Paul, Minn., and Meyer Herman, a partner.

ALLEGED SHIPMENT: On or about July 5 to 7, 1945, from the State of Minnesota into the State of Wisconsin.

LABEL, IN PART: "Enriched Martin's Family White Special Sliced Bread," "Martin's Fruit Coffee Cake," "Raisin White Bread," or "Whole Wheat Bread."

*See also No. 10251.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects, insect fragments, setae, and rodent hair fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 27, 1946. A plea of guilty having been entered on behalf of the partnership and by the individual defendant, fines of \$750 and \$250, respectively, were imposed by the court.

10207. Adulteration of ice cream cones. U. S. v. Crispo Cake Cone Co. Plea of guilty. Fine, \$300. (F. D. C. No. 16583. Sample Nos. 99151-F to 99153-F, incl.)

INFORMATION FILED: November 2, 1945, Eastern District of Missouri, against the Crispo Cake Cone Co., a partnership, St. Louis, Mo.

ALLEGED SHIPMENT: On or about December 26, 1944, from the State of Missouri into the State of Illinois.

LABEL, IN PART: "Crispo Sugar Sweetened Pure Cake Cup Cones Crispo Cake Cone Co.," or "Flavorized Flare Tops Dripless Cake Cones * * * Baked By Maryland Baking Co., Inc. Baltimore, Md."

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

DISPOSITION: April 11, 1946. A plea of guilty having been entered, the court imposed a fine of \$300.

10208. Adulteration of ice box cookies. U. S. v. 16 Cases of Ice Box Cookies. Default decree of condemnation. Product ordered delivered to a county institution, for use as animal feed. (F. D. C. No. 17699. Sample No. 17994-H.)

LABEL FILED: September 29, 1945, Western District of Michigan.

ALLEGED SHIPMENT: On or about August 31, 1945, by the Delicious Cookie Co., from Chicago, Ill.

PRODUCT: 16 cases, each containing 24 8-ounce packages, of ice box cookies at Benton Harbor, Mich.

LABEL, IN PART: "Melody Farms Real Ice Box Cookies * * * Melody Farms, Inc. Chicago, Ill."

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

DISPOSITION: November 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a county institution, for use as animal feed.

10209. Adulteration of rye hardtack. U. S. v. 50 Cartons of Rye Hard Tack. Default decree of condemnation and destruction. (F. D. C. No. 17631. Sample No. 7218-H.)

LABEL FILED: October 4, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about August 13, 1945, by the Butter-Krust Toast Co., from Minneapolis, Minn.

PRODUCT: 50 cartons, each containing 12 14-ounce packages, of rye hardtack at New York, N. Y.

LABEL, IN PART: "Butter-Krust Rye Hard Tack."

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

DISPOSITION: October 29, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.