

**ALLEGED SHIPMENT:** On or about September 19, 1945, by Universal Sales Service Associates, from New York, N. Y.

**PRODUCT:** 35 cases each containing 12 2-pound fruit cakes at Butler, Pa.

**LABEL, IN PART:** "Waldorf Rum and Brandy Fruit Cake."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of mold.

**DISPOSITION:** March 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10710. Adulteration of fruit cake. U. S. v. 28 \* \* \*. (F. D. C. No. 18399. Sample No. 4903-H.)**

**LIBEL FILED:** On or about November 16, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about August 6, 1945, by Stirling Bakers, from Mount Vernon, N. Y.

**PRODUCT:** 28 3-pound fruit cakes at Trenton, N. J.

**LABEL, IN PART:** "Alice Dodd Brandy and Wine Fruit Cake."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of mold.

**DISPOSITION:** December 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10711. Misbranding of fruit cake. U. S. v. 224 \* \* \*. (F. D. C. No. 18386. Sample Nos. 11084-H, 11085-H.)**

**LIBEL FILED:** November 13, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 8, 1945, by the Friend Cake Baking Co., from Brooklyn, N. Y.

**PRODUCT:** 128 1-pound and 96 2-pound fruit cakes at Worcester, Mass. Examination showed the product to consist of fruit-type cake, with no noticeable odor or taste of rum or brandy. It contained a chemical preservative, sodium propionate.

**LABEL, IN PART:** "Pickwick Rum and Brandy Fruit Cake."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the vignette showing liquid pouring over a fruit cake from the spigot of a barrel labeled "Rum and Brandy," the designation "Rum and Brandy Fruit Cake," and the statements "a generous dousing of fine imported Rum and Brandy," borne on the labels, were false and misleading as applied to an article that contained little, if any, rum or brandy; and, Section 403 (k), the article contained a chemical preservative and failed to bear labeling stating that fact.

**DISPOSITION:** March 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**10712. Adulteration of bread and cake. U. S. v. R. J. Mrizek Co. Plea of guilty. Fine, \$200. (F. D. C. No. 19045. Sample Nos. 17490-H to 17493-H, incl., 17495-H.)**

**INFORMATION FILED:** March 28, 1946, Northern District of Illinois, against R. J. Mrizek Co., a corporation, Chicago, Ill.

**ALLEGED SHIPMENT:** On or about August 3, 1945, from the State of Illinois into the State of Indiana.

**LABEL, IN PART:** (Bread) "Mrizek's Bohemian Rye [or "Dark Rye," or "Old Fashioned Potato Bread"]," or "R. J. Mrizek's Light Rye"; (cake) "This cake is made from best ingredients."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of larvae, adult insects, insect fragments and parts, cast skins and head capsules of larvae, hairs resembling rodent hairs, a fly, and a maggot; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** March 8, 1946. A plea of guilty having been entered, the defendant was fined \$200.