

hair fragments, rodent excreta, insects, insect parts, insect fragments, larvae, and larvae fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: December 30, 1946. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$10 on each count, a total fine of \$50, plus costs.

11516. Adulteration of tea cakes and misbranding of brown sauce. U. S. v. Peter S. Hyun (Oriental Food Products Co.). Plea of nolo contendere. Fine, \$502. Defendant placed on probation for 1 year. (F. D. C. No. 20456. Sample Nos. 25662-H, 25663-H, 25666-H, 47463-H.)

INFORMATION FILED: September 17, 1946, Southern District of California, against Peter S. Hyun, trading as the Oriental Food Products Co., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about December 20 and 26, 1945, from the State of California into the State of Utah.

LABEL, IN PART: "Jan-U-Wine Rice Fortune & Tea Cakes," or "Contents 8 Fl. Oz. Jan-U-Wine Chinese Brown Sauce."

NATURE OF CHARGE: Tea cakes. Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

Brown sauce. Misbranding, Section 403 (a), the label statement "Contents 8 Fl. Oz." was false and misleading since the jars did not contain the amount declared, but contained a smaller amount; and, Section 403 (e) (2), the product failed to bear an accurate statement of the quantity of the contents since the jars contained less than "8 Fl. Oz."

DISPOSITION: November 18, 1946. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$500 on count 1 and \$1.00 on each of counts 3 and 4. Imposition of sentence was suspended on count 2, and the defendant was placed on probation for 1 year.

11517. Adulteration of pretzel sticks. U. S. v. Jack A. Steinberg (Philadelphia Pretzel Co.). Plea of nolo contendere. Fine, \$500. Payment of fine suspended and defendant placed on probation for 2 years. (F. D. C. No. 20933. Sample Nos. 44325-H, 70403-H.)

INFORMATION FILED: October 15, 1946, Southern District of California, against Jack A. Steinberg, trading as the Philadelphia Pretzel Co., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about March 7 and May 31, 1946, from the State of California into the State of Washington and the Territory of Hawaii.

LABEL, IN PART: "Royal Guest Pack Pretzel Sticks."

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

DISPOSITION: December 9, 1946. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$250 on each of the 2 counts. Payment of the fine was suspended for a period of 2 years. The defendant was placed on probation, conditioned that he comply with all the laws and regulations of the Food and Drug Administration.

11518. Adulteration of bread. U. S. v. The Old Rip Van Winkle Grist Mill, Inc. Plea of guilty. Fine, \$200. (F. D. C. No. 20932. Sample Nos. 9129-H, 9132-H.)

INFORMATION FILED: December 5, 1946, Northern District of New York, against The Old Rip Van Winkle Grist Mill, Inc., trading at Albany, N. Y., with its principal place of business at New York, N. Y.

ALLEGED SHIPMENT: On or about February 26 and March 5, 1946, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Rip Van Winkle Bread Stone Ground 100% Whole Wheat J. L. Kimmey Bakery, Albany, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent hair fragments,

rodent excreta pellet fragments, and dirt fragments resembling rodent excreta fragments.

DISPOSITION: January 27, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200.

11519. Adulteration of cake and pies. U. S. v. Mrs. Smith's Pie Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 20950. Sample Nos. 5240-H, 5241-H, 65008-H.)

INFORMATION FILED: December 24, 1946, Eastern District of Pennsylvania, against Mrs. Smith's Pie Co., a corporation, Philadelphia, Pa.

ALLEGED SHIPMENT: On or about January 22 and February 14, 1946, from the State of Pennsylvania into the State of New Jersey.

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

DISPOSITION: December 24, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$250.

11520. Adulteration of pie. U. S. v. Valley Baking Co. Plea of guilty. Fine, \$300. (F. D. C. No. 20958. Sample Nos. 52951-H to 52956-H, incl.)

INFORMATION FILED: November 7, 1946, Southern District of Ohio, against the Valley Baking Co., a partnership, Cincinnati, Ohio.

ALLEGED SHIPMENT: On or about June 13, 1946, from the State of Ohio into the State of Kentucky.

LABEL, IN PART: (Portion) "Home Made Pie Lemon [or "Apple"]."

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

DISPOSITION: December 13, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300.

11521. Adulteration of cookies. U. S. v. Whiteway Bakeries, Inc. Plea of nolo contendere. Fine, \$600. (F. D. C. No. 20963. Sample Nos. 35516-H, 35517-H, 56451-H.)

INFORMATION FILED: January 20, 1947, Eastern District of Arkansas, against Whiteway Bakeries, Inc., Little Rock, Ark.

ALLEGED SHIPMENT: On or about May 7 and 11, 1946, from the State of Arkansas into the States of Missouri and Tennessee.

LABEL, IN PART: "Baby Ruth Cookies," or "Butterfinger Cookies."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 7, 1947. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$600 was imposed.

11522. Adulteration of fig bars. U. S. v. 106 Cases * * *. (F. D. C. No. 20826. Sample No. 61711-H.)

LIBEL FILED: September 12, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about July 16, 1946, by Venus Foods, from Los Angeles, Calif.

PRODUCT: 106 cases, each containing 12 1½-pound packages, of fig bars at Spokane, Wash.

LABEL, IN PART: "Venus Wheat Fig Bars * * * Packed by Venus Packing Co., Los Angeles, California."

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

DISPOSITION: November 7, 1946. Default decree of condemnation and destruction.