

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

DISPOSITION: February 20, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

11859. Misbranding of fruit cake. U. S. v. Continental Baking Company. Plea of nolo contendere. Fine, \$800. (F. D. C. No. 22062. Sample Nos. 48062-H, 48789-H to 48791-H, incl.)

INFORMATION FILED: May 2, 1947, District of Colorado, against the Continental Baking Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: On or about November 21 and December 3, 1946, from the State of Colorado into the States of Nebraska, Wyoming, and New Mexico.

LABEL, IN PART: "Net Wt. 2 lbs. 5 oz. Ye Olde Fruit Cake * * * Distributed by F. W. Woolworth Co., N. Y.," or "Barbara Jane Fruit Cake * * * Net Wt. 5 lbs. Distributed by Sears Roebuck and Co., Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, in that the cartons containing the article contained less than the amount declared on the label.

DISPOSITION: June 3, 1947. A plea of nolo contendere having been entered, the court imposed a fine against the corporation of \$200 on each of the 4 counts of the information.

11860. Adulteration of pies. U. S. v. Anthony Verreos (New Blue Ribbon Pie Co.). Plea of nolo contendere. Sentence suspended and individual placed on probation for 2 years. (F. D. C. No. 22059. Sample Nos. 40575-H, 40577-H to 40579-H, incl.)

INFORMATION FILED: April 24, 1947, Eastern District of Missouri, against Anthony Verreos, trading as the New Blue Ribbon Pie Co., St. Louis, Mo.

ALLEGED SHIPMENT: On or about December 11, 1946, from the State of Missouri into the State of Illinois.

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

DISPOSITION: July 22, 1947. A plea of nolo contendere having been entered, the court suspended the imposition of sentence and placed the defendant on probation for 2 years, conditioned that he immediately discontinue his pie business.

CORN MEAL*

11861. Adulteration of corn meal. U. S. v. Burnside Milling Company, Oscar W. Robinson, and John O. Robinson. Pleas of nolo contendere. Fine of \$1,500 and costs against the company. Sentences of 3 months in jail against Oscar W. Robinson and of 30 days in jail against John O. Robinson were suspended, and each individual was placed on probation for 3 years. (F. D. C. No. 22021. Sample Nos. 53445-H, 53446-H, 53452-H.)

INFORMATION FILED: March 20, 1947, Eastern District of Kentucky, against the Burnside Milling Co., a partnership, Burnside, Ky., and Oscar W. Robinson and John O. Robinson, partners.

ALLEGED SHIPMENT: On or about September 11 and 20, 1946, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Hearty Heart Fresh Ground Bolted Corn Meal."

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

*See also No. 11868.