

14317. Adulteration of cookies. U. S. v. Deer Park Baking Co., Inc., and Robert M. Wade. Pleas of nolo contendere. Corporation fined \$500 and costs; individual fined \$250 and costs. (F. D. C. No. 24793. Sample Nos. 206-K, 26326-K.)

INFORMATION FILED: June 21, 1948, Southern District of Illinois, against Deer Park Baking Co., Inc., Springfield, Ill., and Robert M. Wade, plant manager.

ALLEGED SHIPMENT: On or about September 6 and 11, 1947, from the State of Illinois into the States of Missouri and South Carolina.

LABEL, IN PART: "8 Ounces Net Weight Dainty Mix Assorted Cookies \* \* \* Energy Baking Company Springfield, Illinois," or "Deer Park Nods Deer Park Baking Co. Chicago, Illinois."

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

DISPOSITION: November 29, 1948. Pleas of nolo contendere having been entered, the corporation was fined \$500, plus \$35 costs, and the individual was fined \$250, plus \$25 costs.

14318. Misbranding of cookies. U. S. v. Superior Biscuit Co. and Floyd B. Millican. Pleas of guilty. Fines of \$757 against company and \$257 against individual. (F. D. C. No. 25335. Sample Nos. 37345-K, 37808-K, 37810-K, 37812-K, 37828-K, 37913-K to 37915-K, incl.)

INFORMATION FILED: January 14, 1949, Western District of Washington, against the Superior Biscuit Co., a corporation, Seattle, Wash., and Floyd B. Millican, president.

ALLEGED SHIPMENT: On or about May 24, June 15 and 30, and July 6, 1948, from the State of Washington into the Territory of Alaska.

LABEL, IN PART: "Krunchies Net Weight 6½ oz. or over," "Mars Cookies Net Weight 11½ ounces," or "Fig Bar Cookies 15½ Ounces."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents since the net weight of the articles was less than the weight declared on the label.

DISPOSITION: February 25, 1949. Pleas of guilty having been entered, the court imposed fines of \$750 against the company and \$250 against the individual on count 1, and imposed a fine of \$1.00 on each of the remaining 7 counts against both defendants.

14319. Adulteration and misbranding of cookies. U. S. v. 19 Cartons \* \* \* (and 1 other seizure action). (F. D. C. Nos. 26099, 26106. Sample Nos. 1526-K, 1707-K, 1708-K.)

LABELS FILED: December 1 and 2, 1948, Southern District of Florida and Northern District of Florida.

ALLEGED SHIPMENT: On or about September 24 and October 6, 1948, by Capitol Candy Co., Inc., from Jackson, Miss.

PRODUCT: Cookies. 19 cartons and 94 boxes, each containing 200 cookies, at Tallahassee, and Jacksonville, Fla.

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

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

Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (k), it contained artificial flavoring and failed to bear a label stating that fact.

DISPOSITION: January 20 and February 3, 1949. Default decrees of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

**14320. Adulteration of pretzels. U. S. v. Num Num Foods, Inc., and Carl F. Noss. Pleas of guilty. Fine of \$450 against each defendant. (F. D. C. No. 26333. Sample Nos. 7678-K, 7830-K to 7832-K, incl., 18287-K, 18288-K.)**

INFORMATION FILED: February 11, 1949, Northern District of Ohio, against Num Num Foods, Inc., Cleveland, Ohio, and Carl F. Noss, factory manager.

ALLEGED SHIPMENT: On or about September 29 and November 3, 1948, from the State of Ohio into the States of New York and Pennsylvania.

LABEL, IN PART: "Num Num New Process Pretzels," "Butter Pretzels," or "Num Num Thin Pretzel Sticks."

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

DISPOSITION: March 4, 1949. Pleas of guilty having been entered, the court imposed a fine of \$450 against each defendant.

#### CORN MEAL\*

**14321. Adulteration of corn meal. U. S. v. Edward Lee Pope (Omaha Mills). Plea of nolo contendere. Fine, \$100 on count 1; sentence suspended on count 2, and defendant placed on probation. (F. D. C. No. 26336. Sample Nos. 1102-K, 1103-K.)**

INFORMATION FILED: February 19, 1949, Middle District of Georgia, against Edward Lee Pope, trading as Omaha Mills, Omaha, Ga.

ALLEGED SHIPMENT: On or about August 20 and 31, 1948, from the State of Georgia into the State of Alabama.

LABEL, IN PART: "Omaha Mills Water Ground 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 insect heads, insect fragments, rodent excreta fragments, whole insects, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 7, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$100 on count 1, suspended sentence on count 2, and placed the defendant on probation for 1 year.

\*See also No. 14326.