

15953. Adulteration of tomato juice. U. S. v. 311 Cases * * *. (F. D. C. No. 28664. Sample No. 68973-K.)

LABEL FILED: January 16, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 21, 1949, by the St. Mary's Packing Co., from Van Wert, Ohio.

PRODUCT: 311 cases, each containing 24 1-pint, 2-fluid-ounce cans, of tomato juice at Pittsburgh, Pa.

LABEL, IN PART: "Kroger Tomato Juice."

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 decomposed tomato material.

DISPOSITION: February 3, 1950. Default decree of condemnation and destruction.

15954. Misbranding of beverage stabilizer. U. S. v. Sen Sen Extract Co., Inc., Louis J. Hirshleifer, and Marlow G. Hirshleifer. Pleas of nolo contendere. Each defendant fined \$500. (F. D. C. No. 21476. Sample No. 9148-H.)

INFORMATION FILED: September 2, 1948, Eastern District of New York, against Sen Sen Extract Co., Inc., Brooklyn, N. Y., and Louis J. Hirshleifer, president, and Marlow G. Hirshleifer, secretary-treasurer.

ALLEGED SHIPMENT: On or about September 5, 1945, from the State of New York into the State of New Jersey.

LABEL, IN PART: (Bottle cap) "H. C. P." The product was invoiced as "High C Preservative."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement "H. C. P." appearing on the bottle cap was false and misleading since it represented that the product was a preservative suitable as a component of beverages for use by man, whereas the product was not a preservative suitable as a component of beverages for use by man since it contained per 100 cubic milliliters about 13.62 grams of monochloroacetic acid, which is a poisonous and deleterious substance.

DISPOSITION: February 8, 1950. Pleas of nolo contendere having been entered, the court fined each defendant \$500.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

15955. Adulteration and misbranding of bread. U. S. v. F. Dell Norberg (Twin City Baking Co.). Plea of nolo contendere. Fine, \$180. (F. D. C. No. 28171. Sample Nos. 50454-K, 50484-K to 50486-K, incl., 50488-K.)

INFORMATION FILED: November 3, 1949, District of Idaho, against F. Dell Norberg, trading as the Twin City Baking Co., Lewiston, Idaho.

ALLEGED SHIPMENT: On or about May 19 and July 26, 27, and 28, 1949, from the State of Idaho into the State of Washington.

LABEL, IN PART: "Aunt Betty White Sliced Bread."

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

Misbranding, Section 403 (k), the product (4 of the 5 shipments) contained a chemical preservative, a salt of propionic acid, and failed to bear labeling stating that fact.

DISPOSITION: April 17, 1950. A plea of nolo contendere having been entered, the court fined the defendant \$180.

15956. Misbranding of bread. U. S. v. Old Home Bakers. Plea of guilty. Fine, \$600. (F. D. C. No. 26351. Sample Nos. 33614-K, 33615-K.)

INFORMATION FILED: February 13, 1950, Northern District of California, against the Old Home Bakers, a corporation, Sacramento, Calif.

ALLEGED SHIPMENT: On or about July 2, 1948, from the State of California into the State of Nevada.

LABEL, IN PART: "Betsy Ross Pullman Sliced White Bread" or "Old Fashioned Betsy Ross Enriched White One half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement for these essential food substances: Thiamine (Vitamin B₁) 55% * * * Iron 40%."

NATURE OF CHARGE: Misbranding, Section 403 (k) (both shipments), the product contained a chemical preservative, a propionate, and it failed to bear labeling stating that fact; and, Section 403 (a) (enriched bread only), the label statement "One half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement for these essential food substances: Thiamine (Vitamin B₁) 55% * * * Iron 40%" was false and misleading since one-half pound of the product would provide less than 55 percent of the minimum daily requirement for vitamin B₁ and less than 40 percent of the minimum daily requirement for iron.

DISPOSITION: February 27, 1950. A plea of guilty having been entered, the court fined the defendant \$600.

15957. Adulteration of cake. U. S. v. Vic Ballowe (Shamrock Cake Co. and Southern Maid Products Co.). Plea of guilty. Fine, \$200. (F. D. C. No. 28196. Sample Nos. 54260-K, 54261-K, 60749-K, 60751-K.)

INFORMATION FILED: January 13, 1950, Western District of Texas, against Vic Ballowe, trading as the Shamrock Cake Co. and the Southern Maid Products Co., at Waco, Tex.

ALLEGED SHIPMENT: On or about September 1, 8, 9, and 10, 1949, from the State of Texas into the States of Louisiana and Tennessee.

LABEL, IN PART: "Tom's Devilsfood Finger * * * Distributed by Tom Huston Peanut Co., Columbus, Ga.," "Shamrock Cocomanut Marshmallow * * * Shamrock Cake Co.," "Our Own Mrs. Cook's Devilsfood Finger * * * Baked Expressly for Mrs. Cook's By Southern Maid Bakeries," or "Shamrock."

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

DISPOSITION: February 28, 1950. A plea of guilty having been entered, the court fined the defendant \$200.