

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 22551-22650**

Adulteration, Section 402 (a) (2), the article in some cases contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406, and in one case the article was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408 (a); Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice; and, Section 408 (a), a poisonous or deleterious pesticide chemical, or a pesticide chemical which is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity, and no tolerance or exemption from the requirement of a tolerance for such pesticide chemical in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; and Section 403 (b), the article was offered for sale under the name of another food.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

22551. Bread. (F. D. C. No. 38152. S. Nos. 13-136/7 M, 13-196 M.)

INFORMATION FILED: 10-28-55, Dist. N. J., against Joseph A. Rossi, t/a Leo Rossi's Bakery, Trenton, N. J.

SHIPPED: 12-3-54 and 4-25-55, from New Jersey to Pennsylvania.

LABEL IN PART: (Pkg.) "Rossi's Original Italian Bread Krispy Sliced Krust 12 oz. or over Leo Rossi Baking Co. Trenton, N. J.," "Leo Rossi's Bakery Trenton, N. J. Krispy Krust Sliced Italian Round Net Weight 12 Ozs.," or "Rossi's Krispy Krust Baked on The Hearth Leo Rossi's Bakery Trenton, N. J. Net Weight 12 Ozs."

CHARGE: 402 (a) (3)—contained insect fragments and rodent hair fragments; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 12-19-55. \$200 fine on count 1; imposition of sentence suspended on counts 2 and 3 and defendant placed on probation for 3 years.

22552. Date nut bread. (F. D. C. No. 38167. S. Nos. 3-570 M, 22-744 M, 22-781 M.)

INFORMATION FILED: 11-17-55, Dist. Mass., against Harvard F. Weston, t/a H. F. Weston & Co., Waltham, Mass.

SHIPPED: Between 5-9-55 and 5-27-55, from Massachusetts to Connecticut and New Hampshire.

LABEL IN PART: (Pkg.) "Weston's Date Nut Bread H. F. Weston & Co. Waltham, Mass. Net Weight 1 Lb."

CHARGE: 402 (a) (3)—contained rodent hair fragments; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 12-2-55. \$200 fine.

22553. Cookies. (F. D. C. No. 37850. S. Nos. 12-241 M, 12-245 M.)

INFORMATION FILED: 4-13-55, Dist. N. J., against Mario Iacono, manager of Centre Bakery, West New York, N. J.

SHIPPED: 12-9-54, from New Jersey to New York.

CHARGE: 402 (a) (3)—contained rodent hair fragments; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9-30-55. \$100 fine.

22554. Cookies. (F. D. C. No. 38324. S. Nos. 16-456/7 M, 16-461 M.)

QUANTITY: 61 cases, 12 pkgs. each, and 170 cases, 24 pkgs. each, at Portland, Oreg.

SHIPPED: Between 8-8-55 and 8-15-55, from Tacoma, Wash., by American Biscuit Co.

LABEL IN PART: (Pkg.) "A B C Cookies 1 Lb. Vermont Cremes" and "Fred Meyer Fresh Cookies 14 Oz. [or "Sugar Wafers 2¾ Oz.]."

LIBELED: 9-29-55, Dist. Oreg.

CHARGE: 402 (a) (3)—contained rodent hairs when shipped.

DISPOSITION: 11-28-55. Default—destruction.

22555. Frozen pies. (F. D. C. No. 38118. S. Nos. 11-249 M, 11-251/2 M.)

INFORMATION FILED: 9-1-55, S. Dist. Calif., against Mrs. Lee's Pies, Inc., now known as A. G. Read, Inc., a corporation, Los Angeles, Calif., and A. G. Read, president.

SHIPPED: 11-5-54, from California to Texas.

LABEL IN PART: "Simple Simon Frozen Pies * * * Cherry [or "Mince" or "Peach"]."

CHARGE: 402 (a) (3)—contained rodent hair fragments, insect fragments, and insects; and 402 (a) (4)—prepared, packed, and held under insanitary conditions.

PLEA: Guilty—by corporation to counts 1 and 2 and by individual to count 3.

DISPOSITION: 12-5-55. Corporation fined \$2,000 and individual \$1,000.

FLOUR

22556. Flour. (F. D. C. No. 38110. S. Nos. 13-959/61 M, 14-216/7 M.)

INFORMATION FILED: 6-29-55, E. Dist. Ill., against Trenton Milling Co., a corporation, Trenton, Ill.

SHIPPED: 2-28-55 and 3-2-55, from Illinois to Mississippi and Missouri.