

prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: On June 23, 1944, a plea of guilty was entered and a fine of \$500 was imposed on each of 7 counts, a total fine of \$3,500.

**6614. Adulteration and misbranding of bakery products. U. S. v. Fred N. Malouff (Freddie's Bakery). Plea of guilty. Fine, \$500.** (F. D. C. No. 11331. Sample Nos. 15347-F, 15348-F, 15350-F to 15352-F, incl., 16166-F to 16171-F, incl.)

INFORMATION FILED: On February 11, 1944, in the District of Colorado, against Fred N. Malouff, trading as Freddie's Bakery, at Trinidad, Colo.

ALLEGED SHIPMENT: On or about March 24 and May 4, 1943, from the State of Colorado into the State of New Mexico.

LABEL, IN PART: "Freddie's \* \* \* White [or "Wheat"] Bread," "Freddie's Bakery Cup Cakes," or "Freddie's Oven Fresh Sponge Cake [or "Sweet Rolls," "Vienna Bread," "Bread Donuts," or "Cinnamon Rolls"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of one or more of the following types of filth: Insect fragments, a larva, rodent hairs, rodent-type hairs, feather barbules, threads, carbon, seta, and nondescript material; and, Section 402 (a) (4), they had been prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding (one lot of white bread), Section 403 (a), the statement "16 Ozs. Or Over," borne on the wrappers, was false and misleading since the wrappers contained less than 16 ounces of bread; and, Section 403 (e) (2), it was in package form and did not bear a label containing an accurate statement of the quantity of the contents in terms of weight.

DISPOSITION: April 1, 1944. A plea of guilty having been entered, a fine of \$100 was imposed on each of 5 counts, a total fine of \$500.

**6615. Misbranding of cookies. U. S. v. Neumans, Inc. (Cal-Ray Bakeries). Plea of guilty. Fine, \$20.** (F. D. C. No. 11391. Sample Nos. 39444-F, 39461-F.)

INFORMATION FILED: On April 26, 1944, in the Southern District of California against Neumans, Inc., trading as the Cal-Ray Bakeries, Glendale, Calif.

ALLEGED SHIPMENT: On or about July 27 and August 10, 1943, from the State of California into the State of Arizona.

LABEL, IN PART: "CalRay Cookies Betterettes [or "Cocoanut Wafer"]."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statements on the labels of the article, "A delicious tasty cocoanut treat made with \* \* \* Cocoanut," or "Cocoanut Wafer \* \* \* made with \* \* \* cocoanut," were false and misleading since the article did not contain coconut.

DISPOSITION: May 8, 1944. The defendant having entered a plea of guilty, a fine of \$10 was imposed on each of 2 counts, a total fine of \$20.

**6616. Misbranding of crackers. U. S. v. 1,146 Dozen Boxes of Crackers. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 11980. Sample Nos. 47379-F, 47380-F, 72501-F to 72503-F, incl.)

LIBEL FILED: March 10, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: From on or about February 7 to 24, 1944, by the Union Biscuit Co., from St. Louis, Mo.

PRODUCT: 271 dozen 1-pound boxes of graham crackers, and 450 dozen 2-pound boxes and 425 dozen 1-pound boxes of salted crackers at Memphis, Tenn.

LABEL, IN PART: (Boxes) "Honey Flavored Graham Crackers \* \* \* Weight One Pound," or "Princess Crackers Salted Weight One Pound [or "Two Pounds"]."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements in the labeling of the article, "Weight One Pound," or "Weight Two Pounds," were false and misleading since the article contained less than the declared weight; and, Section 403 (e) (2), the crackers were in package form and failed to bear labels containing an accurate statement of the quantity of the contents.

DISPOSITION: March 18, 1944. The Union Biscuit Co., claimant, having admitted the allegations of the libel, judgment was entered nunc pro tunc as of March 11, 1944, condemning the product and ordering that it be released under bond to be repacked under the supervision of an employee of the Federal Security Agency.