

**9012. Adulteration of cake. U. S. v. New Standard Baking Co. and Jacob Roseman. Pleas of nolo contendere. Corporate defendant fined \$2,000; individual defendant given 6 months' suspended sentence and placed on probation for 1 year. (F. D. C. No. 15583. Sample Nos. 85153-F, 85155-F to 85157-F, incl.)**

**INFORMATION FILED:** November 27, 1945, Eastern District of Pennsylvania, against the New Standard Baking Co., a corporation, Philadelphia, Pa., and Jacob Roseman, president of the corporation.

**ALLEGED SHIPMENT:** On or about September 28 and October 12, 1944, from the State of Pennsylvania into the State of New Jersey.

**LABEL, IN PART:** "Lady Fair Fruit Cake," "Betacake Best Quality Cakes," or "Lady Fair \* \* \* Orange [or "Cream"] Layer Cake."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of larvae, head capsules, insect fragments, rodent hair fragments, a feather fragment, and flies; and, Section 402 (a) (4); they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** March 22, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the corporate defendant was sentenced to pay a fine of \$2,000. The individual defendant received a suspended sentence of 6 months' imprisonment and was placed on probation for a period of 1 year.

**9013. Adulteration of cookies. U. S. v. Nutt Brothers Cookies. Plea of nolo contendere. Fine, \$150. (F. D. C. No. 15592. Sample No. 73892-F.)**

**INFORMATION FILED:** August 27, 1945, Southern District of California, against Nutt Brothers Cookies, a partnership, Los Angeles, Calif.; amended information filed December 11, 1945.

**ALLEGED SHIPMENT:** On or about November 8, 1944, from the State of California into the State of Arizona.

**LABEL, IN PART:** "Nutt Bros. Big Buy Cookies \* \* \* Sugar Cookies."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, a hair fragment resembling rodent hair, and an unidentified hair.

**DISPOSITION:** December 11, 1945. A plea of nolo contendere having been entered, the defendant was fined \$150.

**9014. Adulteration and misbranding of pies. U. S. v. The Blue Bird Pie Co. Plea of guilty. Fine, \$500. (F. D. C. No. 10536. Sample Nos. 42122-F, 42123-F, 42125-F.)**

**INFORMATION FILED:** September 8, 1943, Southern District of Ohio, against the Blue Bird Pie Co., a corporation, Cincinnati, Ohio.

**ALLEGED SHIPMENT:** On or about April 9, 1943, from the State of Ohio into the State of Kentucky.

**PRODUCT:** Various kinds of pies, some contained in cartons, some contained in cellophane envelopes or wrappers, and some contained in paper bags. Portions of the pies contained in the cartons and envelopes were short of the declared weight of "16 Ozs." or "4 Ounces," respectively. The bags and wrappers bore no statement of the quantity of the contents.

**LABEL, IN PART:** (Cartons) "Blue Bird Pies"; (envelopes and wrappers) "Blue [design of a bird] Pies." The paper bags bore the letter "T" or "C" and no other labeling.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insect fragments and hairs resembling rodent hairs; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (a), the label statements "Net Weight 16 Ozs." and "4 Ounces," on portions of the products, were false and misleading since those portions weighed less than so labeled; Section 403 (e) (1), certain por-