

**PRODUCT:** 210 cartons, each containing 1 2-pound fruit cake, at Bronx, N. Y.  
The product was insect-infested.

**LABEL, IN PART:** "Dumbarton Oaks Rum & Brandy Fruit Cake."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance.

**DISPOSITION:** February 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9215. Adulteration of fruit cakes. U. S. v. 319 Tins of Spiced Fruit Cakes. Default decree of condemnation and destruction. (F. D. C. No. 18747. Sample No. 29993-H.)**

**LIBEL FILED:** January 2, 1946, Northern District of California.

**ALLEGED SHIPMENT:** On or about August 8, 1945, by the Roll Biscuit Co., from New York, N. Y.

**PRODUCT:** 319 tins, each containing 6 15-ounce fruit cakes, at San Francisco, Calif.

**LABEL, IN PART:** "Spiced Fruit Cakes Lebkuchen."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insects and mold.

**DISPOSITION:** March 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9216. Misbranding of fruit cake. U. S. v. 114 Tins of Fruit Cake. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 18616. Sample No. 7995-H.)**

**LIBEL FILED:** December 5, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 26, 1945, by the Berke Cake Co., Inc., from Brooklyn, N. Y.

**PRODUCT:** 114 tins, each containing 1 2-pound fruit cake, at Jersey City, N. J.

**LABEL, IN PART:** "Londonderry Rum & Brandy English Type Fruit Cake \* \* \* Baked in the U. S. A. by Londonderry Bakers, Ltd. \* \* \* Brooklyn 6, N. Y."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statements, "Rum & Brandy English Type Fruit Cake" and "Ingredients \* \* \* Rum and Brandy," were false and misleading since the article contained little, if any, rum or brandy.

**DISPOSITION:** January 29, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**9217. Adulteration of cookies. U. S. v. Arthur P. Suprise (Kay Cookie Co.). Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 16512. Sample Nos. 62835-F to 62837-F, incl., 21853-H, 21854-H, 21856-H, 21857-H.)**

**INFORMATION FILED:** December 11, 1945, Western District of Tennessee, against Arthur P. Suprise, trading as the Kay Cookie Co., Memphis, Tenn.

**ALLEGED SHIPMENT:** On or about January 17, 1944, and May 4, 1945, from the State of Tennessee into the State of Mississippi.

**LABEL, IN PART:** "Kay's Cookies," or "Kay's Vanilla Wafers."

**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 rodent hairs, hair fragments resembling rodent hairs, insect fragments, feather fragments, cat and other hairs, 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 13, 1946. The defendant having entered a plea of nolo contendere, the court imposed fines of \$500 on count 1 and \$250 on each of the remaining 2 counts.

**9218. Adulteration of spiced cookies. U. S. v. 89 Cartons of Spiced Cookies. Default decree of forfeiture and destruction. (F. D. C. No. 18583. Sample No. 52615-H.)**

**LIBEL FILED:** December 26, 1945, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about November 15, 1945, by the Runkle Co., from Kenton, Ohio.