

esters and ethers of Monochloroacetic acid. Use: To be used in Acid products to prevent lactic and alcoholic fermentation and the growth and multiplication of yeast bacteria," created the impression that the article was wholesome and suitable for use as a component of food used by man. The article contained monochloroacetic acid, which is a poisonous and deleterious substance, and its labeling failed to reveal the material fact, in the light of such representation, that the article contained a poisonous and deleterious substance which would render it unwholesome and unsuitable for use as a component of food used by man.

**DISPOSITION:** March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10202. Misbranding of Sepco. U. S. v. 22 Jugs of Sepco (and 11 other seizure actions against Sepco). Default decrees of condemnation and destruction.** (F. D. C. Nos. 16647, 19391 to 19393, incl., 19915, 19950, 19951, 20478, 20538, 20539, 20546, 20780. Sample Nos. 639-H, 14063-H, 23656-H, 35069-H, 38161-H, 43481-H, 48950-H, 49716-H, 52708-H, 56385-H, 65010-H, 65024-H.)

**LIBELS FILED:** Between June 25, 1945, and September 12, 1946, Middle District of Georgia, Eastern District of Missouri, Northern District of Ohio, Northern and Southern Districts of Texas, Eastern District of Pennsylvania, Southern District of California, Northern District of Alabama, Eastern District of Wisconsin, Western District of Oklahoma, and Southern District of Indiana.

**ALLEGED SHIPMENT:** Between the approximate dates of March 22, 1945, and May 13, 1946, by the Sethness Products Co., from Chicago, Ill.

**PRODUCT:** 118 1-gallon jugs of Sepco at Columbus, Ga., St. Louis, Mo., Cleveland, Ohio, Abilene and Houston, Tex., Philadelphia, Pa., Fullerton, Calif., Birmingham, Ala., Menasha, Wis., Woodward, Okla., and Evansville, Ind. Examination showed that the product was an aqueous solution containing between 1.26 grams and 8.47 grams of quaternary ammonium chloride per 100 cc.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling of the article was misleading since certain statements thereon represented to purchasers of the article that it was wholesome and suitable for use as a component of food for man, whereas the article contained quaternary ammonium chloride, a poisonous and deleterious substance; and the labeling failed to reveal the material fact that the article contained a poisonous and deleterious substance.

**DISPOSITION:** Between July 23, 1945, and December 10, 1946. The Sethness Products Co. having appeared as claimant for the St. Louis lot and later having withdrawn such claim, and no claimant having appeared for the other lots, judgments of condemnation were entered and the product was ordered destroyed.

**10203. Adulteration of strawberry juice and red raspberry puree. U. S. v. 307 Cans of Strawberry Juice and 335 Cans of Red Raspberry Puree. Consent decrees of condemnation. Products ordered released under bond.** (F. D. C. Nos. 10411, 10702, 17983. Sample Nos. 18437-F, 56523-F, 9488-H.)

**LIBELS FILED:** August 16 and September 9, 1943, and October 18, 1945, District of New Jersey and Western District of New York.

**ALLEGED SHIPMENT:** On or about June 19 and 28, 1943, and September 8, 1945, by the Sunshine Packing Corporation, from North East, Pa.

**PRODUCT:** 307 5-gallon cans of strawberry juice at Jersey City and Hackensack, N. J., and 335 45-pound cans of red raspberry puree at Buffalo, N. Y. Examination showed that the raspberry product contained moldy raspberry material.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances.

**DISPOSITION:** April 24 and May 13, 1946. The Sunshine Packing Corporation, claimant, having admitted the allegations of the libels, and the actions against the New Jersey lots having been consolidated, judgments of condemnation were entered and the products were ordered released under bond. It was ordered that the raspberry products be utilized for distillation purposes and that the strawberry product be disposed of so as to comply with the law, or destroyed, all under the supervision of the Food and Drug Administration.

## CEREALS AND CEREAL PRODUCTS

## BAKERY PRODUCTS\*

**10204. Action to restrain the manufacture in the District of Columbia and the shipment in interstate commerce of adulterated bakery products. U. S. v. Athens Baking Co., Thomas Stethopulos, Peter Stethopulos, and Louis Mantis. Injunction granted. (Inj. No. 142.)**

**COMPLAINT FILED:** On or about June 25, 1946, in the District of Columbia, against the Athens Baking Co., a partnership, Washington, D. C., and Thomas Stethopulos, Peter Stethopulos, and Louis Mantis, members of the partnership. The complaint alleged that the defendants had been and were continuing to manufacture in the District of Columbia and introduce and deliver for introduction into interstate commerce bakery products that were adulterated. A factory inspection of August 14, 1944, showed the existence of insanitary conditions resulting from heavy rodent and insect infestation and the presence of cats. Reinspections of October 30, 1944, and March 28, 1946, showed that the insanitary conditions had not been corrected. Samples of the firm's bakery products were examined and found to contain rodent and insect filth.

**PRAYER OF COMPLAINT:** That a temporary restraining order be granted, followed by a preliminary injunction enjoining the defendants from the commission of the acts complained of, and that, upon final hearing, the preliminary injunction be made permanent.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances; and, Section 402 (a) (4), the products had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth and whereby they may have been rendered injurious to health.

**DISPOSITION:** October 29, 1946. The defendants having consented to the entry of a decree, an order was entered permanently enjoining the defendants from commission of the acts complained of.

**10205. Adulteration of cookies. U. S. v. Superior Biscuit Co., Inc., and Benjamin Shahbaz (also known as M. Cooper). Pleas of guilty. Fine of \$1,000 and costs. (F. D. C. No. 17790. Sample Nos. 22022-H, 22819-H to 22822-H, incl.)**

**INFORMATION FILED:** February 11, 1946, Northern District of Illinois, against the Superior Biscuit Co., Inc., Chicago, Ill., and Benjamin Shahbaz, also known as M. Cooper, the president of the corporation.

**ALLEGED SHIPMENT:** On or about January 19 and February 1, 1945, from the State of Illinois into the State of Missouri.

**LABEL, IN PART:** "De Luxe Vanilla Waferette," "Pineapple Delight," "Orange Delight," "Strawberry Delight," or "Chocolate Chip Cookies."

**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, rodent hairs, rodent hair fragments, fragments resembling rodent hairs, and rodent excreta; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** May 1, 1946. Upon the entry of pleas of guilty, the defendants were fined \$1,000, plus costs.

**10206. Adulteration of bread and cake. U. S. v. Martin Baking Co., and Meyer Herman. Pleas of guilty. Fines of \$750 against company and \$250 against individual defendant. (F. D. C. No. 16616. Sample Nos. 18767-H to 18770-H, incl.)**

**INFORMATION FILED:** April 2, 1946, District of Minnesota, against the Martin Baking Co., a partnership, St. Paul, Minn., and Meyer Herman, a partner.

**ALLEGED SHIPMENT:** On or about July 5 to 7, 1945, from the State of Minnesota into the State of Wisconsin.

**LABEL, IN PART:** "Enriched Martin's Family White Special Sliced Bread," "Martin's Fruit Coffee Cake," "Raisin White Bread," or "Whole Wheat Bread."

\*See also No. 10251.