

PRODUCT: 1 gallon bottle of grape-flavored sirup, 41 cases, each containing 4 1-gallon bottles, of orange-flavored sirup, and 29 cases, each containing 4 1-gallon bottles, of strawberry-flavored sirup at Brunswick, Ga.

LABEL, IN PART: "L & M * * * Grape [or "Orange," or "Strawberry"] Flavored Syrup * * * Distributed by Laurie-Massey Dade City Florida."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the articles; Section 402 (b) (2), fruit-flavored sirups containing saccharin had been substituted in whole or in part for fruit-flavored sirups containing sugar, which the articles were represented to be; and, Section 402 (b) (4), a substance, saccharin, having no food value, had been added to the articles so as to make them appear to be better and of greater quality than they were.

DISPOSITION: January 29, 1947. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

10359. Adulteration and misbranding of enriched bread and honey cracked wheat bread. U. S. v. Jessee Baking Co. Plea of guilty. Fine, \$2,000. (F. D. C. No. 21503. Sample Nos. 48236-H, 48238-H.)

LABEL FILED: January 10, 1947, District of Colorado, against the Jessee Baking Co., a corporation, Sterling, Colo.

ALLEGED SHIPMENT: On or about July 19, 1946, from the State of Colorado into the State of Nebraska.

LABEL, IN PART: "Jessee's If It's Jessees It's Good Bread Enriched," or "Mrs. Jessee's Honey Cracked Wheat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence, in the enriched bread, of a rodent hair, plant tissue, and carbonaceous material, and, in the "Honey Cracked Wheat Bread," of insect parts and insect fragments; and, Section 402 (a) (4), the articles had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (f), certain information required by law to appear on the label was not prominently placed thereon with such conspicuousness as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use. The name and place of business of the manufacturer, packer, or distributor, an accurate statement of the quantity of the contents, and the common or usual name of each ingredient of the article were printed indistinctly in small type on the labels of the "Honey Cracked Wheat Bread." The information prescribed by the regulations as necessary in order fully to inform purchasers as to the value of the article for special dietary uses was printed indistinctly and in small type on the labels of the enriched bread.

Further misbranding, Section 403 (k), the enriched bread contained a chemical preservative, sodium propionate, and failed to bear labeling stating that fact; and, Section 403 (a), the label statement "Honey Cracked Wheat" was false and misleading since the bread so labeled actually contained no honey.

DISPOSITION: January 14, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500 on each count, a total fine of \$2,000.

10360. Adulteration of ice cream cones and cups. U. S. v. Maryland Baking Co. and Harry S. Hyman. Pleas of guilty. Fine of \$750 and costs against each defendant. (F. D. C. No. 21493. Sample Nos. 3747-H to 3751-H, incl., 41954-H, 41957-H.)

INFORMATION FILED: December 2, 1946, District of Maryland, against the Maryland Baking Co., Baltimore, Md., and Harry S. Hyman, vice president and plant manager.

ALLEGED SHIPMENT: Between the approximate dates of July 21 and September 7, 1946, from the State of Maryland into the State of Virginia.

*See also No. 10364.