

13010. Adulteration and misbranding of bread. U. S. v. Keller's, Inc., Eugene C. Keller, and James Vanderstein. Pleas of nolo contendere. Corporation fined \$125; individual defendants each fined \$25. (F. D. C. No. 21573. Sample Nos. 58664-H, 58665-H, 58669-H, 58670-H.)

INFORMATION FILED: February 28, 1947, District of Oregon, against Keller's, Inc., Portland, Oreg., Eugene C. Keller, president, and James Vanderstein, plant superintendent.

ALLEGED SHIPMENT: On or about April 17 and 24, 1946, from the State of Oregon into the State of Washington.

LABEL, IN PART: "Keller's Betsy Ross White Sliced 1½ Lbs. Added Vitamin B₁ and Iron Enriched For Better Nutrition One-half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement for these essential food substances: Thiamine (Vitamin B₁) 55% Riboflavin (Vitamin B₂) 17.5% Niacin (another B vitamin) 5 milligrams Iron 40%," "Keller's Butter Bread 1 lb.," or "Keller's White Sliced—1 Lb. [or "1½ Lbs."] Betsy Ross."

NATURE OF CHARGE: 1 lot. Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁), riboflavin (vitamin B₂), and niacin, had been omitted, since one-half pound of the product would not provide 55 percent of the minimum daily requirement of thiamine, 17.5 percent of the minimum daily requirement of riboflavin, and 5 milligrams of niacin, but would provide smaller amounts of these vitamins. Misbranding, Section 403 (a), the label statements, "One-half pound of this bread supplies you with at least the following amounts or percentages of your minimum daily requirement of these essential food substances: Thiamine (Vitamin B₁) 55% Riboflavin (Vitamin B₂) 17.5% Niacin (another B vitamin) 5 milligrams," were false and misleading.

All lots. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The label statements "1 Lb." or "1½ Lbs." were inaccurate, since the loaves of bread weighed less than 1 pound and 1½ pounds, respectively.

DISPOSITION: March 6, 1947. Pleas of nolo contendere having been entered, the corporation was fined \$125 and each individual defendant \$25.

13011. Adulteration and misbranding of bread. U. S. v. The L. Weinberg Baking Co. and Herman Weinberg. Pleas of guilty. Company fined \$300; individual, \$200. (F. D. C. No. 24099. Sample Nos. 73749-H, 73753-H, 73754-H.)

INFORMATION FILED: February 24, 1948, Southern District of Ohio, against the L. Weinberg Baking Co., a corporation, Cincinnati, Ohio, and Herman Weinberg, secretary and treasurer.

ALLEGED SHIPMENT: On or about July 31, 1947, from the State of Ohio into the State of Kentucky.

LABEL, IN PART: "Weinberg's Sandwich Loaf," "Weinberg's Premium," or "Weinberg's Poppy Seed or Sesame Vienna."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and a larva; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (a), the statement "Poppy Seed or Sesame Vienna" borne on the label of a portion of the bread was false and misleading, since that portion of the bread did not contain poppy or sesame seed.

DISPOSITION: April 28, 1948. Pleas of guilty having been entered, the court imposed fines of \$300 against the company and \$200 against the individual.

13012. Adulteration of bread. U. S. v. Polish Baking Company, Stephen Glowacki, and Leon Glowacki. Pleas of non vult. Imposition of sentence suspended. Defendants placed on 2 years' probation. (F. D. C. No. 24050. Sample Nos. 66573-H, 66574-H, 99983-H, 99984-H.)

INFORMATION FILED: January 7, 1948, District of New Jersey, against the Polish Baking Co., a partnership, Camden, N. J., and Stephen Glowacki and Leon Glowacki, partners.

ALLEGED SHIPMENT: On or about June 4 and August 26, 1947, from the State of New Jersey into the State of Pennsylvania.