

**CEREALS AND CEREAL PRODUCTS****BAKERY PRODUCTS**

**21307. Adulteration of bakery products. U. S. v. Handy Baking Co. Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 35764. Sample Nos. 8269-L, 55903-L to 55905-L, incl.)**

**INFORMATION FILED:** January 11, 1954, Northern District of Ohio, against the Handy Baking Co., a corporation, Cuyahoga Falls, Ohio.

**ALLEGED SHIPMENT:** On or about December 8, 1952, and August 21, 1953, from the State of Ohio into the State of Pennsylvania, of a number of cellophane wrapped trays containing rolls, cakes, and tea rings.

**LABEL, IN PART:** (Tray) "Handy's Pastries Again"; (wrapper) "Handy's Orange Pineapple [or "Datenut Coffee Cake," "Tea Ring," or "Honey Nut Rolls"]."

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

**DISPOSITION:** January 22, 1954. The defendant having entered a plea of nolo contendere, the court fined it \$1,000.

**21308. Adulteration of bread. U. S. v. O. K. Bakery. Plea of guilty. Fine, \$1,000. (F. D. C. No. 35747. Sample Nos. 70706-L, 70711-L.)**

**INFORMATION FILED:** December 28, 1953, Southern District of Ohio, against the O. K. Bakery, a partnership, Steubenville, Ohio.

**ALLEGED SHIPMENT:** On or about July 15 and 16, 1953, from the State of Ohio into the State of West Virginia.

**LABEL, IN PART:** (Wrapper) "Vienna Brand O. K. Bakery."

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

**DISPOSITION:** February 5, 1954. The defendant having entered a plea of guilty, the court fined it \$1,000.

**21309. Adulteration of graham crackers, soda crackers, and cookies. U. S. v. Salem Commodities, Inc. (Guthrie Biscuit Co.), and George L. Babb. Pleas of nolo contendere. Fine of \$400, plus costs, against each defendant. (F. D. C. No. 35750. Sample Nos. 61486-L, 61489-L, 61490-L, 82097-L.)**

**INFORMATION FILED:** January 5, 1954, Western District of Missouri, against Salem Commodities, Inc., trading as Guthrie Biscuit Co., Joplin, Mo., and George L. Babb, general manager of the Joplin plant of the corporation.

**ALLEGED SHIPMENT:** Between the approximate dates of July 24, and August 6, 1953, from the State of Missouri into the States of Oklahoma and Kansas.

**LABEL, IN PART:** (Box) "Pirates' Gold Graham Crackers," "Jane Arden Coconut Bar [or "Puffs"] Cookies," and "Busy Baker Soda Crackers."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, insect fragments, feather barbules, moth scales, and moth larvae; and, Section 402 (a) (4), the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** May 21, 1954. The defendants having entered pleas of nolo contendere, the court fined each defendant \$400, plus costs.

### FLOUR

Nos. 21310 to 21312 report actions involving flour that was insect- or rodent-infested, or both. The flour reported in No. 21313 failed to meet the standard for enriched flour.

**21310. Adulteration of flour. U. S. v. 84 Bags \* \* \*. (F. D. C. No. 35717. Sample No. 59398-L.)**

**LIBEL FILED:** October 15, 1953, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about June 4 and July 9 and 24, 1953, from Springfield, Ill.

**PRODUCT:** 84 100-pound bags of flour at Charleston, S. C.

**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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 2, 1954. Thomas & Howard Co., Charleston, S. C., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the purpose of denaturing and converting it into animal feed, under the supervision of the Department of Health, Education, and Welfare.

**21311. Adulteration of flour, cornmeal, oats, macaroni, and spaghetti with tomato sauce and cheese. U. S. v. 30 Bags, etc. (and 4 other seizure actions). (F. D. C. No. 36385. Sample Nos. 82084-L to 82087-L, incl., 82089-L, 82090-L, 82191-L, 82194-L.)**

**LIBELS FILED:** February 10, 1954, Northern District of Oklahoma.

**ALLEGED SHIPMENT:** The spaghetti with tomato sauce and cheese was shipped about 6 to 10 years before the libel was filed, and the other products were shipped on or about March 7, 1950, March 9, 1951, July 24, 1952, and February 2 and 3, April 4 and 28, and June 1, 1953, from Abilene and Wichita, Kans., Southwest City and St. Joseph, Mo., and Fort Worth, Tex.

**PRODUCT:** 30 10-pound bags, 12 25-pound bags, and 76 50-pound bags of flour; 340 pounds in 6 bags, and 15 bags, each bag containing 10 pounds, of cornmeal; 13 cases, each containing 12 3-pound cartons, of oats; 4 cases, each containing 24 1-pound bags, and 6 cases, each containing 24 2-pound cartons, of macaroni; and 32 cases, each containing 24 1-pound, 1-ounce jars, of spaghetti with tomato sauce and cheese, at Vinita, Okla.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the spaghetti with tomato sauce and cheese consisted in whole or in part of a decomposed substance, and the other articles consisted in whole or in part of a filthy substance by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.