

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 22851-22950**

Adulteration, Section 402 (a) (2), the article contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent of the article had been in whole or in part omitted or abstracted therefrom; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; Section 406 (a), a poisonous or deleterious substance was added to the food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (i) (2), the article was not subject to the provisions of Section 403 (g) and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; Section 403 (j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information as the Secretary has determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

22851. Bismarcks (bakery product). (F. D. C. No. 38560. S. Nos. 21-520/1 M.)

INFORMATION FILED: 1-13-56, Dist. Nebr., against Kuenne's Bakery, Inc., Omaha, Nebr., and Richard D. Riddle, president.

SHIPPED: 8-24-55, from Nebraska to Iowa.

CHARGE: 402 (a) (4)—prepared under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 2-23-56. Corporation fined \$100, plus costs; individual placed on probation for 30 days.

22852. Bread and rolls. (F. D. C. No. 38509. S. Nos. 3-275/6 M, 3-292 M, 3-295 M.)

INFORMATION FILED: 11-17-55, Dist. Mass., against Friedman Bros., Inc., t/a New York Model Bakery, Lynn, Mass., and Kenneth Freedman, treasurer and production manager for the corporation.

SHIPPED: 4-20-55 and 6-7-55, from Massachusetts to Connecticut.

LABEL IN PART: (Pkg.) "The Goody Boy Pumpernickel," "The Goody Boy says Try Goody," "Try Goody-Boy Bulkie Rolls [or "Kimmel Rye"]."

CHARGE: 402 (a) (3)—contained insect parts and rodent hair fragments; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 12-2-55. Corporation fined \$300 and individual \$100.