

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

**24651. Nut Crunch.** (F.D.C. No. 41349. S. No. 21-265 P.)

**QUANTITY:** 21 cases, 56 pkgs. each, at Kansas City, Mo.

**SHIPPED:** 1-3-58, from Memphis, Tenn., by Stewarts.

**LABEL IN PART:** (Pkg.) "Hostess 10 cent Nut Crunch Net Wt. 1 $\frac{3}{4}$  Ozs.  
**Ingredients:** \* \* \* Peanut Butter."

**RESULTS OF INVESTIGATION:** Examination showed that the article was a chocolate-covered wafer sandwich having a soft white filler. No peanut butter or other nut material was detected.

**LIBELED:** 1-10-58, W. Dist. Mo.

**CHARGE:** 403(a)—when shipped, the name of the article "Nut Crunch" and the label statement "Ingredients \* \* \* Peanut Butter" were false and misleading for an article containing no peanut butter or other nut material; and 403(f)—the label of the article failed to bear the declaration of net weight, ingredients, and the firm's name and address, thereon, with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

**DISPOSITION:** 3-19-58. Default—delivered to a municipal institution for its use, and not for sale.

**24652. Corn chips.** (F.D.C. No. 40898. S. No. 78-263 M.)

**QUANTITY:** 24 cases, 12 4-oz. bags each, and 24 cases, 36 2-oz. bags each, at Kansas City, Mo.

**SHIPPED:** 10-19-57, from Holton, Kans., by E. D. Gilkerson & Sons.

**LABEL IN PART:** (Bag) "Red Diamond Corn Chips."

**LIBELED:** On or about 11-14-57, W. Dist. Mo.

**CHARGE:** 402(a)(3)—contained insects and insect fragments when shipped.

**DISPOSITION:** 1-13-58. Default—consumption by animals.

**24653. Bakery products.** (F.D.C. No. 40461. S. Nos. 53-893 M, 81-273/4 M, 82-029/30 M.)

**INFORMATION FILED:** 1-10-58, M. Dist. Ga., against Benson's Bakery, a partnership, t/a Benson's Refrigerated Foods, Bogart, Ga., and W. Howard Benson, partner, Howard E. Benson, partner, John R. Martin, plant manager, and Edgar C. Blair, general production manager.

**SHIPPED:** Between 5-29-57 and 7-23-57, from Georgia to Louisiana and the District of Columbia.

**LABEL IN PART:** (Pkg.) "Benson's \* \* \* French Hard Enriched Rolls" [or "Benson's Ice Box Danish Cinnamon Curls" or "Heidi \* \* \* Ice Box Biscuits"].

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

**PLEA:** Guilty.

**DISPOSITION:** 6-2-58. Each defendant fined \$75.