

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F.N.J. NOS. 26851-26950**

Adulteration, Section 402(a)(1), the article, in one case, contained a deleterious substance which might render it injurious to health; Section 402(a)(2)(A), the article, in two cases, contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402(a)(2)(B), the article, in one case, was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408; 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(b)(1), a valuable constituent had been in whole or in part omitted or abstracted from the article; Section 402(b)(2), a substance had been substituted in whole or in part for the article; Section 402(b)(4), a substance had been added to the article or mixed or packed with it so as to increase its bulk or weight and reduce its quality or strength; Section 402(e), the article, in one case, was butter and the raw material used therein consisted in whole or in part of a decomposed substance; Section 406, a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice; and Section 408(a), a poisonous or deleterious pesticide chemical had been added to a raw agricultural commodity and no tolerance or exemption from the requirement of a tolerance had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403(a), the labeling of the article was false and misleading; Section 403(e)(2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of contents in terms of weight, or numerical count; Section 403(g)(1), the article purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations, and it failed to conform to such definition and standard; Section 403(h)(1), the article purported to be and was represented as a food for which a standard of quality had been prescribed by regulations and it fell below such standard and its label failed to bear a statement that it fell below such standard; and 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 ingredient.

BEVERAGES AND BEVERAGE MATERIALS

26851. Green coffee. (F.D.C. No. 43791. S. No. 74-130 P.)

QUANTITY: 28 130-lb. bags at New Orleans, La.

SHIPPED: 8-26-59, from Brazil.

LIBELED: 11-5-59., E. Dist. La.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 8-18-60. Consent—claimed by L. J. Dittman Coffee Co., New Orleans, La., and exported to original supplier in Dutch Guinea.

26852. Green coffee. (F.D.C. No. 43792. S. No. 74-132 P.)

QUANTITY: 68 130-lb. bags at New Orleans, La.

SHIPPED: On an unknown date, from Brazil.

LIBELED: 11-5-59, E. Dist. La.

CHARGE: 402(a) (3)—contained insects while held for sale.
DISPOSITION: 11-25-60. Consent—claimed by Gillespie & Co. of New York, Inc., New York, N.Y., and exported to original supplier in Dutch Guinea.

26853. Green coffee. (F.D.C. No. 45014. S. No. 33-560 R.)
QUANTITY: 4 sacks, 600 lbs. total, at Brooklyn, N.Y.
SHIPPED: 2-25-60, from Ponce, P.R.
RESULTS OF INVESTIGATION: Examination showed that the article was submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.
LIBELED: 10-31-60, E. Dist. N.Y.
CHARGE: 402(a) (4)—held under insanitary conditions while in interstate commerce.
DISPOSITION: 12-27-60. Default—destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

26854. Bread. (F.D.C. No. 44311. S. Nos. 56-936 P, 57-141/2 P.)
INFORMATION FILED: 5-25-60, S. Dist. Ga., against H. H. Claussen's Sons, Inc., Savannah, Ga.
SHIPPED: 9-24-59 and 10-23-59, from Georgia to South Carolina.
LABEL IN PART: (Pkg.) "Claussen's Sliced Enriched Bread."
CHARGE: 402(a) (3)—contained insect parts and rodent hair fragments; and 402(a) (4)—prepared and packed under insanitary conditions.
PLEA: Nolo contendere.
DISPOSITION: 10-28-60. \$200 fine.

26855. Bread and rolls. (F.D.C. No. 44317. S. Nos. 68-223/4 P, 68-227 P.)
INFORMATION FILED: 7-1-60, Dist. N.J., against Barbero's Bakery, Inc., Trenton, N.J., Angelo Barbero, president, and Enrico Savelli, vice president.
SHIPPED: 7-28-59 and 7-29-59, from New Jersey to Pennsylvania.
LABEL IN PART: "BARBERO'S ITALIAN FAMOUS TASTY CRUST BREAD NET WT. 12 OZ. 61 Conrad St. Trenton, N.J." and "BARBERO'S SIX HARD ROLLS WEIGHT 9 OZ. BARBERO'S BAKERY, TRENTON, N.J."
CHARGE: 402(a) (3)—contained insects and insect fragments; and 402(a) (4)—prepared under insanitary conditions.
PLEA: Nolo contendere.
DISPOSITION: 11-7-60. Corporation fined \$100; individuals placed on probation for 1 year.

26856. Poppyseed rolls. (F.D.C. No. 44327. S. No. 63-894 P.)
INFORMATION FILED: 5-24-60, Dist. Conn., against Karp Bros. Bakery, a partnership, Stamford, Conn.
SHIPPED: 6-16-59, from Connecticut to New York.
CHARGE: 402(a) (3)—contained rodent hair fragments and insect parts; and 402(a) (4)—prepared under insanitary conditions.