

CHARGE: 402(a)(3)—contained insect and larvae fragments, and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-24-63. Sentence of probation for 5 years.

29012. Bread and rolls. (F.D.C. No. 46023. S. Nos. 56-772 R, 56-774 R, 56-776 R.)

INFORMATION FILED: 11-21-61, S. Dist. N.Y., against Diamond Baking Co., Inc., Bronx, N.Y., and Louis Palmer, plant manager.

SHIPPED: 3-22-61, from New York, N.Y., to Danbury, Conn.

CHARGE: 402(a)(4)—prepared, packed, and held under insanitary conditions.

PLEA: Not guilty.

DISPOSITION: The case came to trial before a jury on 3-4-63, and was terminated on 3-8-63, with a verdict of guilty. On 4-3-63, the defendants received the following sentence: Corporation—\$3,000 fine; Palmer—\$300 fine.

29013. Bread and rolls. (F.D.C. No. 47117. S. Nos. 1-927 T, 1-929 T, 1-933 T.)

INFORMATION FILED: 10-26-62, S. Dist. Fla., against Setzer's Bakery, Inc., Div. of Food Fair Stores, Inc., a corporation, Jacksonville, Fla., and Louis S. Slott, plant manager.

SHIPPED: 9-26-61, from Florida to Georgia.

LABEL IN PART: "LADY FAIR KING SIZE White Enriched Bread Net Weight 1 LB. 4 OZS.," "LADY FAIR Enriched Bread Made With Buttermilk Net Weight 1 LB. 4 OZS.," "LADY FAIR Enriched Sliced Wiener Rolls Net Weight 16 OZS."

CHARGE: 402(a)(3)—contained insects and insect parts; 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 7-22-63. Corporation—\$1,000 fine; Slott—\$500 fine.

### FLOUR

29014. Flour. (F.D.C. No. 48700. S. No. 61-545 V.)

QUANTITY: 30 50-lb. bags at Jacksonville, Tex., in possession of East Texas Associated Grocers, Inc.

SHIPPED: 1-8-63, from Yukon, Okla.

LIBELED: 2-7-63, E. Dist. Tex.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 4-6-63. Default—delivered to a public institution for use as animal feed.

29015. Flour. (F.D.C. No. 48839. S. Nos. 21-935/37 V.)

QUANTITY: 250 100-lb. bags and 300 bales, each containing 2 25-lb. bags, at Denver, Colo.

SHIPPED: 2-28-63, from Atchison, Kans.

RESULTS OF INVESTIGATION: Examination showed that the article was shipped in a rodent-infested railroad car.

LIBELED: 4-5-63, Dist. Colo.

**CHARGE:** 402(a) (4)—held under insanitary conditions while in interstate commerce.

**DISPOSITION:** 5-28-63. Default—delivered to a public institution for use as animal feed.

**29016. Flour.** (F.D.C. No. 48963. S. No. 8-675 V.)

**QUANTITY:** 432 100-lb. bags at New Haven, Conn.

**SHIPPED:** On 4-3-63, the lot was shipped from Bridgeport, Conn., to Springfield, Mass., by the New York, New Haven & Hartford Railroad, and on 5-6-63, was reshipped to New Haven, Conn.

**RESULTS OF INVESTIGATION:** Investigation revealed that the article had been held in a rodent-infested railroad car.

**LIBELED:** 5-22-63, Dist. Conn.

**CHARGE:** 402(a) (3)—when shipped, contained rodent urine and rodent hairs; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 7-9-63. Default—delivered to a Federal institution for use as animal feed.

**29017. Flour.** (F.D.C. No. 49108. S. No. 767 X.)

**QUANTITY:** 189 100-lb. bags, at Atlanta, Ga.

**SHIPPED:** 6-11-63, from Minneapolis, Minn.

**RESULTS OF INVESTIGATION:** Investigation showed that the article had been stored under insanitary conditions in an insect-infested warehouse of the Taylor Baking Co., Inc., Atlanta, Ga., and thereafter delivered to the dealer in whose possession the article was seized.

**LIBELED:** 7-11-63, N. Dist. Ga.

**CHARGE:** 402(a) (3)—contained insects and insect parts; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 8-19-63. Default—ordered destroyed or delivered to a public institution for use as animal feed.

**29018. Flour and cornmeal.** (F.D.C. No. 48868. S. Nos. 45-337/40 V, 45-348 V, 83-591 V.)

**INFORMATION FILED:** 7-9-63, E. Dist. Ark., against Dial Wholesale Grocer Co., a corporation, Brinkley, Ark., and Lambert C. Dial, president.

**ALLEGED VIOLATIONS:** Between 7-31-62 and 1-3-63, while quantities of flour and cornmeal were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

**CHARGE:** 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 8-13-63. Each defendant—probation for 1 year.

**29019. Flour, cornmeal mix, and egg noodles.** (F.D.C. No. 48553. S. Nos. 84-519/23 T, 84-525 T.)

**INFORMATION FILED:** 6-3-63, E. Dist. Ark., against Helena Wholesale, Inc., Helena, Ark.