

4044. Adulteration of confectionery. U. S. v. The National Candy Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 3109. I. S. No. 17335-c.)

On February 13, 1912, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The National Candy Co., a corporation organized under the laws of New Jersey, having a place of business at Cincinnati, Ohio, known and designated as the P. Echert Factory of The National Candy Co., J. H. Hart, manager in charge, Cincinnati, Ohio, alleging shipment by said defendants, in violation of the Food and Drugs Act, on January 23, 1911, from the State of Ohio into the State of Minnesota, of a quantity of confectionery which was adulterated. The product was labeled: "Acme—Eagles Nest—Acme. Serial No. 3645, Guaranteed under the Food and Drugs Act, June 30, 1906, * * *."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the product contained talc.

Adulteration of the product was alleged in the information for the reason that it contained a certain mineral substance, to wit, talc.

On May 25, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs. The information was not pressed as to the defendant J. H. Hart.

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *November 5, 1915.*