

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 16, 1945. The S & H Products Co. having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond for reweighing and repacking under the supervision of the Food and Drug Administration.

9040. Adulteration of rice grits. U. S. v. 100 Bags of Rice Grits. Default decree of condemnation. Product ordered sold to the highest bidder. (F. D. C. No. 15845. Sample No. 22030-H.)

LIBEL FILED: March 30, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 31, 1944, from Crowley, La.

PRODUCT: 100 100-pound bags of rice grits at St. Louis, Mo., in the possession of the Grocers Warehouse.

The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the article contained rodent pellets.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned upon the adoption of safeguards to insure that it would not be disposed of for human consumption.

9041. Adulteration of powdered starch. U. S. v. 50 Bags of Powdered Starch. Default decree of condemnation and destruction. (F. D. C. No. 15847. Sample No. 31520-H.)

LIBEL FILED: March 30, 1945, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of December 13 and 28, 1943, from Decatur, Ill.

PRODUCT: 50 140-pound bags of powdered starch at Los Angeles, Calif., in the possession of the Metropolitan Warehouse Co. The product had been stored under insanitary conditions after shipment. Rodent pellets and urine stains were observed on the bags, and examination showed that the product was contaminated with urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CHOCOLATE, SUGARS, AND RELATED PRODUCTS*

CANDY

9042. Adulteration of candy. U. S. v. Licorice Products Co., Russell H. Andelfinger, and Clyde F. Roberts. Pleas of guilty. Corporate defendant fined \$400; individual defendants fined \$100 each. (F. D. C. No. 15551. Sample Nos. 18331-H, 18332-H, 18871-H, 18874-H.)

INFORMATION FILED: May 28, 1945, Northern District of Iowa, against the Licorice Products Co., a corporation, and Russell H. Andelfinger and Clyde F. Roberts, president and secretary-treasurer, respectively, Dubuque, Iowa.

ALLEGED SHIPMENT: Between the approximate dates of January 19 and March 2, 1945, from the State of Iowa into the State of Minnesota.

LABEL, IN PART: "120 Count 1 Cent Each Four Aces," or "Licorice Rolls."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, larvae, insect parts, insect fragments, and a mite; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

*See also No. 9039.

DISPOSITION: December 4, 1945. Pleas of guilty having been entered by the individual defendants and on behalf of the corporate defendant, the court imposed fines on the individuals of \$25 on each count and on the corporation of \$100 on each count, total fines of \$600.

9043. Adulteration of candy. U. S. v. Kopper's Chocolate Specialty Co., Inc., Fred Stern, and Karl Frankel. Pleas of guilty. Corporate defendant fined \$500; individual defendants fined \$500 each and sentenced to serve 1 day's imprisonment. (F. D. C. No. 9626. Sample Nos. 23161-F, 36865-F to 36867-F, incl.)

INFORMATION FILED: January 17, 1946, Southern District of New York, against Kopper's Chocolate Specialty Co., Inc., New York, N. Y., and Fred Stern, president, and Karl Frankel, secretary-treasurer.

ALLEGED SHIPMENT: On or about January 18 and 19, 1943, from the State of New York into the States of Maryland and Pennsylvania.

LABEL, IN PART: "Kopper's Assorted Dragees," "Kopper's Chocolates," "Lentils," or "Mint Dragees."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, mammalian hairs resembling rodent hairs, an insect, insect fragments, and miscellaneous filth such as wood splinters and a feather fragment.

DISPOSITION: January 28, 1946. Pleas of guilty having been entered, the court sentenced the corporate defendant to pay a fine of \$500 and the individual defendants to pay fines of \$500 each. Each of the individual defendants was also sentenced to serve 1 day's imprisonment.

9044. Adulteration of candy. U. S. v. 54 Boxes of Sweet Chocolate Bars. Default decree of condemnation and destruction. (F. D. C. No. 15686. Sample No. 24310-H.)

LIBEL FILED: March 24, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about January 7, 1944, by K. O. Kleppe and Company, from Buenos Aires, Argentina.

PRODUCT: 54 boxes, each containing 20 cartons of 25 6-ounce bars, of sweet chocolate at New Orleans, La.

LABEL, IN PART: "Sweet Chocolate. Ingredients: Sugar and Chocolate. Product of Argentina 'La Perfeccion' Carlos Columbo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect excreta, and webbing.

DISPOSITION: February 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9045. Adulteration of candy. U. S. v. 5 Cartons of Toffee Crunch and 9 Cartons of Victory Squares. Default decree of condemnation. Product ordered delivered to a Federal institution. (F. D. C. No. 15823. Sample Nos. 28545-H, 28546-H.)

LIBEL FILED: May 5, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about March 10, 1945, by the Los Angeles Nut House, from Los Angeles, Calif.

PRODUCT: 5 20-pound cartons of Toffee Crunch and 9 17-pound cartons of Victory Squares at Bellingham, Wash.

LABEL, IN PART: "DeLuxe Toffee Crunch," or "Victory Squares."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed by delivery to a Federal institution.

9046. Adulteration of candy. U. S. v. 54 Boxes, 45 Boxes, and 2 Cases of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 15936, 16075. Sample Nos. 5824-H, 22925-H, 22926-H.)

LIBELS FILED: April 19 and May 1, 1945, Eastern District of Missouri and Southern District of New York.