

PRODUCT: 57 cases, each containing 24 14-ounce packages, of cake mix at Morganton, N. C.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 30, 1948. Default decree of condemnation. The product was ordered delivered to a State institution, for use as animal feed.

13986. Adulteration of corn bread mix. U. S. v. 9 Cases * * *. (F. D. C. No. 25645. Sample No. 31454-K.)

LIBEL FILED: September 20, 1948, District of Nevada.

ALLEGED SHIPMENT: On or about October 18, 1946, from Los Angeles, Calif.

PRODUCT: 9 cases, each containing 24 1-pound packages, of corn bread mix at Las Vegas, Nev.

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 insects. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 25, 1948. Default decree of condemnation and destruction.

CHOCOLATE, SUGAR, AND RELATED PRODUCTS

CANDY AND CHOCOLATE

13987. Adulteration of candy. U. S. v. V. V. Candy Mfg. Co. and Sam Gertz. Pleas of nolo contendere. Defendants fined \$1,000, jointly. (F. D. C. No. 25283. Sample Nos. 20677-H, 73782-H, 76617-H, 18690-K, 18691-K, 18954-K.)

INFORMATION FILED: September 27, 1948, Northern District of Illinois, against V. V. Candy Mfg. Co., a partnership, Chicago, Ill., and Sam Gertz, a partner.

ALLEGED SHIPMENT: On or about August 4, 12, and 13, 1947, and March 5, 15, and 16, 1948, from the State of Illinois into the States of Ohio, Nebraska, Louisiana, and Indiana.

LABEL, IN PART: "Judmar's Chocolate Covered Cherries" or "Maple Whipped Creamy Fudge."

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

DISPOSITION: December 28, 1948. Pleas of nolo contendere having been entered, the defendants were fined \$1,000, jointly.

13988. Adulteration of Candy. U. S. v. 41 Boxes * * * (and 3 other seizure actions). (F. D. C. Nos. 25734, 25737, 25856, 25959. Sample Nos. 6734-K, 12023-K, 18290-K, 40302-K, 40303-K.)

LIBELS FILED: October 18, 20, and 26, 1948, Western District of New York, Northern District of Ohio, District of Delaware, and District of Maryland.

ALLEGED SHIPMENT: On or about September 20 and 30 and October 2, 1948, by Brown's Confectionery Co., from Philadelphia, Pa.

PRODUCT: Candy. 41 boxes at Buffalo, N. Y., 48 boxes at Cleveland, Ohio, 68 boxes at Wilmington, Del., and 48 boxes at Baltimore, Md. Each box contained 5 pounds.

LABEL, IN PART: "Verbelrose Chocolates."

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 insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 8, 15, and 23, 1948. Default decrees of condemnation and destruction.

13989. Misbranding of candy. U. S. v. Hy-Lan Candy Co., a corporation. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 24536. Sample Nos. 501-K, 503-K, 907-K, 26838-K.)

INFORMATION FILED: April 23, 1948, Northern District of Georgia, against the Hy-Lan Candy Co., a corporation, Atlanta, Ga.

ALLEGED SHIPMENT: On or about September 11 and October 6 and 7, 1947, from the State of Georgia into the States of Kentucky and Tennessee.

LABEL, IN PART: "Cream Bar [or "Sugar Sticks" or "Peanut Bar"] * * * Average Weight 2 Ozs. Hy-Lan Candy Co. Atlanta, Ga."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents since the candy was labeled "Average Weight 2 Ozs," whereas the average weight of the candy was less than 2 ounces.

DISPOSITION: February 2, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$100 on each of the 4 counts.

13990. Adulteration of chocolate products. U. S. v. Hooton Chocolate Co., a corporation, and Floyd A. Lewis. Plea of guilty for the corporation; plea of nolo contendere by Floyd A. Lewis. Corporation fined \$1,200; Floyd A. Lewis placed on probation for one day, with imposition of sentence suspended. (F. D. C. No. 22054. Sample Nos. 8707-H, 64264-H, 64968-H, 64969-H, 64972-H, 64974-H.)

INFORMATION FILED: April 23, 1947, District of New Jersey, against the Hooton Chocolate Co., Newark, N. J., and Floyd A. Lewis, vice president.

ALLEGED SHIPMENT: On or about February 6 and November 13, 14, 18, and 19, 1946, from the State of New Jersey into the State of New York.

LABEL, IN PART: "Orinoco Choc. Flavor," "Hooton's Milk Jumbo Blocks," or "Hooton's Milk Peanut Jumbo Blocks."

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

DISPOSITION: December 10, 1948. A plea of guilty having been entered on behalf of the corporation, the court imposed a fine of \$200 on each of the six counts, a total fine of \$1,200. A plea of nolo contendere having been entered by Floyd A. Lewis, the court placed him on probation for one day and suspended imposition of sentence.

13991. Adulteration of chocolate. U. S. v. 49 Bags * * *. (F. D. C. No. 25253. Sample No. 12714-K.)

LIBEL FILED: August 10, 1948, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 11, 1948, from Dayton, Ohio.