

ALLEGED SHIPMENT: On or about February 22 and March 2, 1950, from New York, N. Y.

PRODUCT: 35 8-ounce packages and 18 7-ounce packages of chocolate Easter rabbits and 116 4-ounce packages of chocolate Easter eggs at Butte, Mont.

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 insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 8, 1951. A default decree of condemnation was entered, and the court ordered that the products be denatured and delivered to a public institution, for use as animal feed.

17550. Adulteration of maple sugar candy. U. S. v. 32 Boxes, etc. (F. D. C. No. 30950. Sample Nos. 5396-L, 5397-L.)

LIBEL FILED: May 4, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 11, 1951, by the Vermont Confectionery Co., from Burlington, Vt.

PRODUCT: 32 boxes of maple sugar candy (hearts and flowers) and 31 boxes of maple sugar candy (miniature leaves) at Boston, Mass.

LABEL, IN PART: (Box) "Vermont Blue Ribbon Maple Products Net Wt. 8 Oz."

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

DISPOSITION: October 8, 1951. Default decree of condemnation and destruction.

17551. Adulteration and misbranding of candy. U. S. v. 60 Boxes * * * (F. D. C. No. 30847. Sample No. 22905-L.)

LIBEL FILED: March 20, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about September 19, 1950, and January 24, 1951, by the Marlon Confections Corp., from New York, N. Y.

PRODUCT: 60 14-ounce boxes of candy at Jersey City, N. J.

LABEL, IN PART: (Box) "Marlon Double Dipped Chocolate Cordial Fruits * * * Ingredients: * * * Strawberries, Raspberries."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, strawberries and raspberries, had been in whole or in part omitted.

Misbranding, Section 403 (a), the vignette depicting chocolate cordials surrounded by strawberries and raspberries and the label statement "Ingredients: * * * Strawberries, Raspberries" were false and misleading as applied to an article which contained no strawberries or raspberries.

DISPOSITION: July 11, 1951. A default decree of condemnation was entered, and the court ordered that the product be delivered to a charitable institution after destruction of the labels on the product.

17552. Adulteration of licorice paste. U. S. v. MacAndrews & Forbes Co. Plea of guilty. Fine of \$250 on count 1. (F. D. C. No. 30119. Sample No. 81756-K.)

INFORMATION FILED: April 26, 1951, District of New Jersey, against the MacAndrews & Forbes Co., Camden, N. J.

ALLEGED SHIPMENT: On or about October 20, 1950, from the State of New Jersey into the State of Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), (count 1) the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

The information alleged also (count 2) that the defendant had shipped in interstate commerce a quantity of extract of Glycyrrhiza which was adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

DISPOSITION: July 11, 1951. A plea of guilty having been entered, the court imposed a fine of \$250 on count 1. (The defendant was placed on probation for 2 years with respect to count 2.)

17553. Adulteration of candy-coated peanuts. U. S. v. 10 Cases * * *.
(F. D. C. No. 30827. Sample No. 1799-L.)

LIBEL FILED: On or about February 26, 1951, Northern District of Georgia.

ALLEGED SHIPMENT: On or about January 15, 1951, by the Ferrara Candy Co., from Chicago, Ill.

PRODUCT: 10 33-pound cases of candy-coated peanuts at Atlanta, Ga.

LABEL, IN PART: (Case) "S. S. Pee Wee Excel Mix."

NATURE OF CHARGE: Adulteration, Section 402 (d), the product was confectionery and contained nonnutritive substances, namely, stones and sand.

DISPOSITION: March 20, 1951; amended March 27, 1951. Default decree of condemnation. The court ordered that 2 boxes of the product be delivered to the Food and Drug Administration and that the remainder be delivered to a public institution, for use as animal feed, in lieu of destruction.

SIRUP

17554. Adulteration and misbranding of sorghum and cane sirups. U. S. v. 10 Unlabeled 1-Gallon Cans, etc. (and 1 other seizure action). (F. D. C. Nos. 30793, 30794. Sample Nos. 76494-K, 76495-K.)

LIBELS FILED: March 6, 1951, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about October 24, 1950, from points outside the State of Arkansas to points within the State of Arkansas.

PRODUCT: 66 unlabeled 1-gallon cans of sirup represented to be sorghum and 14 unlabeled 1-gallon cans and 3 unlabeled ½-gallon cans of sirup represented to be cane sirup, at West Helena, Ark.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), sorghum with added sugar and glucose had been substituted for sorghum, and cane sirup with added sugar and glucose had been substituted for cane sirup.

Misbranding, Section 403 (b), the articles were offered for sale under the names of other foods; Sections 403 (e) (1) and (2), they failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the articles were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each such ingredient.

DISPOSITION: April 20, 1951. Default decrees of condemnation were entered, and the court ordered that the products be released to a public institution, for consumption by the inmates.