

CANDY AND SIRUP

CANDY

18151. Adulteration of candy. U. S. v. Lee Chocolate Co. Plea of nolo contendere. Fine of \$500 on count 1; fine of \$1,000 on counts 2 through 6 suspended and defendant placed on probation for 3 years. (F. D. C. No. 31534. Sample Nos. 898-L, 1002-L, 1003-L, 1005-L, 1006-L, 20764-L.)

INFORMATION FILED: August 28, 1951, Northern District of Georgia, against the Lee Chocolate Co., a corporation, Atlanta, Ga.

ALLEGED SHIPMENT: On or about January 4, 8, 17, 24, and 26, and February 1, 1951, from the State of Georgia into the States of Florida, Alabama, and North Carolina.

LABEL, IN PART: "Chocolate Cherries Av. Wt. 1½ Oz," "Toasted Coconut Average Weight 2 Ozs," and "10¢ Pecan Roll Avg. Wt. 1 Oz."

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

DISPOSITION: September 28, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$500 on count 1 of the information and a fine of \$1,000 on counts 2 through 6. The court suspended the latter fine, however, and placed the defendant on probation for 3 years.

18152. Misbranding of candy. U. S. v. 72 Boxes * * *. (F. D. C. No. 32378. Sample No. 26370-L.)

LIBEL FILED: December 21, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about November 20, 1951, by Leader Novelty Co., Inc., from Brooklyn, N. Y.

PRODUCT: 72 boxes, each containing 6 6-ounce packages, of candy at Trenton, N. J.

LABEL, IN PART: (Package) "Merry Christmas."

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 since the label statement "Net Weight 6 Ozs." was inaccurate.

DISPOSITION: February 15, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

SIRUP

18153. Adulteration and misbranding of sorghum sirup. U. S. v. 93 Cases * * *. (F. D. C. No. 32344. Sample No. 32600-L.)

LIBEL FILED: January 2, 1952, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 6, 1951, by Joe's Leader Fruit & Produce Co., from East St. Louis, Ill.

PRODUCT: 93 cases, each containing 12 4½-pound cans, of sorghum sirup at St. Louis, Mo.