

"Thus the Government stands or falls not on the basis of the first two informations, but solely on the basis of the January 17, 1950, information, which was barred by the statute of limitations.

"Defendants' motion to dismiss the information filed January 17, 1950, is hereby granted."

19103. Adulteration of coffee concentrate. U. S. v. 292 Cases (and 9 other seizure actions). (F. D. C. Nos. 32504, 32656, 32686, 32860, 32935, 32946, 32992, 33071, 33079, 33128. Sample Nos. 1084-L, 1086-L, 5848-L, 6259-L, 10839-L, 22310-L, 22471-L, 34147-L, 35510-L, 35777-L, 36086-L.)

LIBELS FILED: Between February 11 and May 9, 1952, District of Massachusetts, Southern District of Florida, Western District of Missouri, District of Minnesota, District of Rhode Island, Western District of Texas, Northern and Southern Districts of Ohio, and Southern District of Indiana.

ALLEGED SHIPMENT: Between the approximate dates of October 9 and November 13, 1951, from Dubuque, Iowa.

PRODUCT: Coffee concentrate. 134 cases at Daytona Beach, Fla.; 267 cases at Springfield, Mo.; 79 cases at Rochester, Minn.; 352 cases at Athens, Ohio; 38 cases at Waco, Tex.; 341 cases at Saylesville, R. I.; 292 cases at Fitchburg, Mass.; 37 cases at Fort Worth, Tex.; 37 cases at Indianapolis, Ind.; and 282 cases at Ashland, Ohio. Each case contained 24 6-ounce bottles.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. Examination disclosed that the product was undergoing progressive decomposition. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: Between March 5 and August 13, 1952. Default decrees of condemnation and destruction.

19104. Adulteration of coffee concentrate. U. S. v. 100 Cases * * *. (F. D. C. No. 32528. Sample No. 1137-L.)

LIBEL FILED: February 20, 1952, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 14, 1951, from Dubuque, Iowa.

PRODUCT: 100 cases, each containing 24 6-ounce bottles, of coffee concentrate at Ft. Myers, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 12, 1952. Default decree of condemnation and destruction.

CANDY AND SIRUP

CANDY

19105. Adulteration of candy. U. S. v. 44 Cartons * * *. (F. D. C. No. 32101. Sample No. 19067-L.)

LIBEL FILED: November 16, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about October 31, 1951, by Melster Candies, Inc., from Cambridge, Wis.

PRODUCT: 44 cartons, each containing 12 1½-ounce bars, of candy at Minneapolis, Minn.

LABEL, IN PART: "Melster Cherrie Nut Topped."