

DISPOSITION: March 9, 1954. J. Aron & Co., Inc., New York, N. Y., having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was examined, with the result that 2,922 pounds were found unfit and were destroyed.

21303. Adulteration of green coffee. U. S. v. 36 Bags * * *. (F. D. C. No. 35942. Sample No. 55919-L.)

LIBEL FILED: October 29, 1953, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 2, 1951, from Orlando, Fla.

PRODUCT: 36 150-pound bags of green coffee at Latrobe, Pa., in possession of the Dilworth Co.

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 insects and rodent excreta; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 19, 1954. The Dilworth Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the unfit portion from the good portion under the supervision of the Food and Drug Administration. As a result of the segregation operations, 375 pounds of the product were found unfit and were destroyed.

CANDY AND SIRUP

CANDY

21304. Adulteration of candy. U. S. v. Charms Co. Plea of guilty. Fine, \$250. (F. D. C. No. 35804. Sample No. 59496-L.)

INFORMATION FILED: March 30, 1954, District of New Jersey, against the Charms Co., a corporation, Bloomfield, N. J.

ALLEGED SHIPMENT: On or about October 23, 1953, from the State of New Jersey into the State of Georgia.

LABEL, IN PART: (Box) "They're Pure! Charms Each Candy Wrapped"; (labels attached to product) "Coffee Charms Net Weight 1 Ounce."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, threads, wood splinters, hairs, bristles, and paint fragments; and, Section 402 (a) (4), the article was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 10, 1954. The defendant having entered a plea of guilty, the court imposed a fine of \$250.

21305. Adulteration of chocolate-covered raisins. U. S. v. 1,669 Cartons * * *. (F. D. C. No. 36317. Sample No. 48165-L.)

LIBEL FILED: February 10, 1954, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 1, 1953, by the Blumenthal Bros. Chocolate Co., from Philadelphia, Pa.

PRODUCT: 1,669 cartons, each containing 24 boxes, of chocolate-covered raisins at New Orleans, La.

LABEL, IN PART: (Box) "B-B Milk Chocolate Covered Raisinets * * * Net Wt. 1 Oz."

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

DISPOSITION: March 19, 1954. Default decree of condemnation and destruction.

SIRUP

21306. Adulteration and misbranding of sorghum sirup. U. S. v. Hobson Norris, George M. Dawson, and Glenn Dawson. Pleas of not guilty. Tried to the jury. Verdicts of guilty. Hobson Norris fined \$1,000 and placed on probation for 5 years; George M. Dawson and Glenn Dawson each fined \$250, given a sentence of 90 days in jail to be served and a sentence of 90 days in jail which was suspended, and placed on probation for 5 years. (F. D. C. No. 35153. Sample Nos. 53155-L, 53157-L.)

INFORMATION FILED: September 18, 1953, Western District of Louisiana, against Hobson Norris, doing business at West Monroe, La., and George M. Dawson and Glenn Dawson, doing business at Joplin, Mo.

ALLEGED SHIPMENT: On or about September 21 and 24, 1952, from the State of Louisiana into the States of Arkansas and Missouri.

LABEL, IN PART: (Can) "Sorghum Made For and Guaranteed By M. Dawson & Son, Springdale, Arkansas Liquid Contents: 1 quart, 12 Ozs. or over Made From Sorghum Grain and Cane Juice Citric Acid Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product consisting of a mixture of glucose and sugar sirup with little or no sorghum had been substituted for sorghum.

Misbranding, Section 403 (a) the label statement "Sorghum" was false and misleading since the statement represented and suggested that the article consisted entirely of sorghum, whereas the article consisted of a mixture of glucose and sugar sirup with little or no sorghum; Section 403 (b), the article was offered for sale under the name of another food, namely, sorghum; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: The defendants having entered pleas of not guilty, the case came on for trial before the court and jury on April 15, 1954. The trial was concluded on April 16, 1954, with the return by the jury of verdicts of guilty.

On May 5, 1954, the court fined Hobson Norris \$1,000 and placed him on probation for 5 years. The court fined also George M. Dawson and Glenn Dawson \$250 each, imposed a sentence against these individuals of 90 days in jail to be served and a sentence of 90 days in jail which was suspended, and placed such individuals on probation for 5 years.