The candy was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

The peanut butter was alleged to be misbranded in that the statements, "Net One Lb.," "Net 1 Lb.," "Net Two Lbs.," "Net 2 Lbs.," "Net 16 Oz.," and "Net 32 Oz.," were false and misleading since the jars did not contain the amounts declared but did contain smaller amounts. It was alleged to be misbranded further in that it was in package form and its label did not bear an accurate statement of the quantity of the contents in terms of weight.

On June 9, 1941, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $100.

1842. Adulteration of candy. U. S. v. Charles O. McAfee and Joe B. Hill (McAfee Candy Co. and Liberty Candy Co.). Pleas of nolo contendere. Defendants placed on probation for 1 year. (F. D. C. No. 2946. Sample Nos. 20095–E to 20097–E, incl., 20300–E, 20481–E, 20498–E, 20903–E, 20904–E, 20906–E to 20908–E, incl., 37425–E.)

Examination of the candies involved in this case showed that they were contaminated with rodent hairs and insect fragments.

On June 25, 1941, the United States attorney for the Middle District of Georgia filed a libel against Charles O. McAfee and Joe B. Hill, copartners, trading as the McAfee Candy Co. and Liberty Candy Co., at Macon, Ga., alleging shipment from the State of Georgia into the States of North Carolina and South Carolina, within the period from on or about July 2 to on or about October 1, 1940, of quantities of candy that was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Nut Loaf Chocolate Nut Roll [or "Georgia Nut Roll," "Cocoanut Hay Stax," "Old-Fashioned Peanut Brittle," "5¢ Tops," "Hot Shot 5¢," "Magic Bar Candy," "Peanut Delight Candy," "Pie Face," "Goody Joe 5¢," "Cocoanut Delights Chocolate 5¢," "5¢ Butter Log," "Simply Nuts," "Big Boy 5¢," or "Cocoanut Delight Candy"] * * * Liberty Candy Co. Macon Ga."; and "Peanut Squares [or "Jumbo Peanut Bar" or "1¢ Big Apple Suckers"] * * * McAfee Candy Co. Macon, Ga."

On June 25, 1941, the defendants having entered pleas of nolo contendere, they were placed on probation for 1 year.

1843. Adulteration of candy. U. S. v. 9, 19, and 38 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3985. Sample Nos. 37617–E, 37619–E, 37620–E.)

Examination showed that this product was contaminated with rodent hairs. A portion, labeled "Marble Hand Suckers," contained a glass marble firmly imbedded in each piece of candy.

On March 25, 1941, the United States attorney for the Eastern District of South Carolina filed a libel against 66 boxes of candy at Florence, S. C., alleging that the article had been shipped in interstate commerce on or about February 20, 1941, by the Acme Candy Co. from Wilson, N. C.; and charging that it was adulterated. The article was labeled in part: (Boxes) "Acme Giant Peco Bar 5c"; "Acme's Cherry Pops"; and "Acme's Marble Hand Suckers."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. A portion of the article (38 boxes) was alleged to be adulterated also in that it was confectionery and bore or contained a nonnutritive article.

On June 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1844. Adulteration of candy. U. S. v. 23 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 3714. Sample No. 35692–E.)

Examination showed that this product was contaminated with rodent hairs and dirt.

On or about January 31, 1941, the United States attorney for the Southern District of Mississippi filed a libel against 23 cartons of candy at Meridian, Miss., alleging that the article had been shipped in interstate commerce on or about January 2 and 9, 1941, by the American Candy Manufacturing Co. from Selma, Ala.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On May 5, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.