

"Frontenac Chocolate Covered Modified Cherries One Pound"; or "National 30 Pounds Candy Lemon Drops Sugared."

Both lots of the article were alleged to be adulterated in that they consisted in whole or in part of filthy substances. The chocolate-covered cherries were alleged to be adulterated further in that they had been prepared, packed, or held under insanitary conditions whereby they had become contaminated with filth.

The chocolate-covered cherries were alleged to be misbranded in that the statement on the label, "One Pound," was false, misleading, and incorrect; they were alleged to be misbranded further in that the package did not bear an accurate statement of the quantity of the contents; and in that the containers were so made, formed, and filled as to be misleading.

On February 8 and 21, 1941, no claim having been entered for the cherries and the National Candy Co., Inc., having consented to the destruction of the lemon drops, judgments of condemnation were entered and both lots were ordered destroyed.

1872. Adulteration of candy. U. S. v. 46 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 4786. Sample Nos. 29569-E to 29572-E, incl.)

Examination showed that this product contained rodent hairs.

On May 17, 1941, the United States attorney for the Northern District of Ohio filed a libel against 46 boxes of candy at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about May 3, 1941, by the Overland Candy Corporation from Chicago, Ill.; and charging that it was adulterated in that it consisted wholly 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: "2 for 1¢, Simple Simon Cones"; "Candy Hot-Dogs, 1¢"; "1¢, Rosette Cones"; or "Giant M. M. Sandwich."

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1873. Adulteration of candy. U. S. v. 12, 22, 25, and 49 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 4007. Sample Nos. 56471-E, 56472-E, 56474-E, 56475-E.)

Examination showed that this product contained rodent hairs, splinters of wood, and insect fragments.

On March 18, 1941, the United States attorney for the District of New Jersey filed a libel against 108 boxes of candy at Union City, N. J., alleging that the article had been shipped in interstate commerce on or about January 4, 1941, by Jules M. Rogak from Brooklyn, N. Y.; and charging that it 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. It was labeled in part: "5 Lbs. Orange Sticks," "5 # M. M.," "5 Lbs. Unpitted Dates," and "48 Jumbo Twists."

On May 1, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1874. Adulteration of candy. U. S. v. 18 Boxes of Caramel Candy. Default decree of condemnation and destruction. (F. D. C. No. 4679. Sample Nos. 40805-E, 40806-E.)

On May 6, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 18 boxes of candy at Chester, Pa., alleging that the article had been shipped on or about April 9, 1941, by the Romance Chocolate Co. from East Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, namely, rodent hairs and excreta, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "'Brick Top' Caramel Pops"; or "Honey Caramel Circles."

On June 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1875. Adulteration of candy. U. S. v. 31 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 8630. Sample No. 35475-E.)

Examination showed that this product contained rodent hairs.

On January 6, 1941, the United States attorney for the Western District of Louisiana filed a libel against 31 boxes of candy at Opelousas, La., alleging that the article had been shipped on or about November 28, 1940, by the Salvo & Berdon Candy Co. from Natchez, Miss.; and charging that it was adulterated in that it

consisted wholly or in part of a filthy substance and in that it had been prepared under insanitary conditions. The article was labeled in part: "Rosalie Peppermint."

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

1876. Adulteration and misbranding of candy. U. S. v. 7 Cases of Candy. Default decrees of condemnation and destruction. (F. D. C. No. 4215. Sample No. 51303-E.)

Examination showed that this candy was contaminated with rodent hairs and excreta. Furthermore, the bottom layer of the box in which it was packed contained only 11 to 14 pieces separated by cardboard dividers, while the upper layer contained 20 pieces.

On April 4, 1941, the United States attorney for the District of Maine filed a libel against 7 cases, each containing 24 boxes, of candy at Auburn, Maine, alleging that the article had been shipped on or about January 9, 1941, by San Man Chocolates, Inc. (Romance Chocolate Co.) from East Boston, Mass.; and charging that it was adulterated and misbranded. It was labeled in part: "Rosella Chocolates."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

It was alleged to be misbranded in that its container was so made, formed, or filled as to be misleading.

On April 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1877. Adulteration and misbranding of candy. U. S. v. 29 Cases and 42 Cartons of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 3440, 3466. Sample Nos. 38426-E, 38427-E, 38428-E, 39584-E.)

Examination showed that this product was contaminated with insect fragments and rodent hairs and excreta. Furthermore, it failed to comply with certain labeling requirements of the law.

On December 3 and 7, 1940, the United States attorneys for the Southern District of Iowa and the Northern District of Iowa filed libels against 29 cases of candy at Des Moines, Iowa, and 42 cartons of candy at Waterloo, Iowa, alleging that the article had been shipped in interstate commerce on or about May 13 and October 14, 1940, by the Schuler Candy Co. or Schuler Chocolates, Inc., from Winona, Minn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Sugar Loaf Carmel Cream 30"; or "Iced Carmel Cream 30 Lbs."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy substance.

The article was alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

On January 3 and 6, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1878. Adulteration of candy. U. S. v. 43 Boxes and 43 Cartons of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 4082, 4287, 4288. Sample Nos. 24692-E, 29456-E, 29459-E.)

Examination showed that this product was contaminated with insect fragments or rodent hairs, or both.

On March 28 and April 9, 1941, the United States attorneys for the Eastern District of Pennsylvania and Southern District of Indiana filed libels against 43 boxes of candy at Philadelphia, Pa., and 43 cartons of candy at Richmond, Ind., alleging that the article had been shipped by the George E. Smith Co., in part on or about February 7 and 27, 1941, from Loveland, Ohio, and in part on or about March 10, 1941 from Twightwee, Ohio; and charging that it 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. It was labeled in part: "1-c Chocolate Peanut Cream Clusters," "1-c Chocolate M M Goose Eggs," or "Captain Chocolate Drops."

On April 19 and June 10, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.