

adulterated and misbranded. It was labeled in part variously: "Superfine Olive Oil A. Sasso Brand"; "Roberta Brand Pure Olive Oil"; "Puglia Brand Superfine Pure Olive Oil"; "Italia Brand Supreme Olive Oil Imported."

The article was alleged to be adulterated (1) in that artificially flavored and artificially colored mixtures of cottonseed oil, two lots containing peanut or some other vegetable oil, and containing little or no olive oil, had been substituted wholly or in part for olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and artificial color; and (3) in that artificial flavor and artificial color had been added thereto or mixed or packed therewith so as to make them appear better or of greater value than they were.

The article was alleged to be misbranded (1) In that the statements and designs (A. Sasso brand) "Superfine Olive Oil * * * Imported Product [design of an olive branch and olives] Pure Olive Oil Imported [and similar statements in Italian]"; (Roberta brand) "Pure Olive Oil Imported From Lucca Toscana Italy [design of olive branches, olives, and gold medals] This Olive Oil is guaranteed to be absolutely pure under chemical analysis and [similar statements in various foreign languages] Imported From Italy"; (Puglia brand) "Superfine Pure Olive Oil Imported From Lucca-Italy [design of olive branches and olives] This olive oil is guaranteed to be absolutely pure under any chemical analysis Recommended for table use and medicinal purposes [similar statements in Italian]"; (Italia brand) "Italia * * * Supreme Olive Oil Imported Lucca-Italia [design of gold medals, Italian flag, and olive branches] The purity of this olive oil is guaranteed under chemical analysis and we recommend it for table and medicinal uses [and similar statements in Italian] Imported Pure Olive Oil," were false and misleading as applied to an article of the composition disclosed. (2) In that it was offered for sale under the name of another food. (3) In that it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated. (4) 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. (5) In that it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

On March 20, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SACCHARINE PRODUCTS

CANDY

3195. Adulteration of candy. U. S. v. Bobs Candy & Pecan Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 5529. Sample Nos. 37818-E to 37821-E, incl.)

Examination showed that this product contained insect and rodent hair fragments.

On December 9, 1941, the United States attorney for the Middle District of Georgia filed an information against Bobs Candy & Pecan Co., a corporation at Albany, Ga., alleging shipment on or about February 6 and 18, 1941, from the State of Georgia into the State of Florida, of quantities of candy that was adulterated. It was labeled in part "Bobs Mammoth Penny Ices," "Bobs Dutch Lunch," "Bobs Mammoth Penny Sticks Mint," or "Bobs Long Boy Penny Stick Mint."

The article 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.

On April 7, 1942, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$500.

3196. Adulteration of candy. U. S. v. George D. Dillon (George Dillon Candy Co.). Plea of nolo contendere. Fines, \$100. (F. D. C. No. 5532. Sample Nos. 37494-E, 37613-E.)

Examination showed that this product contained rodent hairs, insect fragments, and mites.

On December 20, 1941, the United States attorney for the Southern District of Florida filed an information against George D. Dillon, trading as George Dillon Candy Co. at Jacksonville, Fla., alleging shipment on or about January 21 and

28, 1941, from the State of Florida into the State of South Carolina, of quantities of candy that was adulterated. It was labeled in part: "2/1¢ Coconut Suckers."

The article 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.

On January 5, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$50 on each count, totaling \$100.

3197. Adulteration of candy. U. S. v. A. Karcher Candy Co. Plea of guilty. Fine, \$500. (F. D. C. No. 5540. Sample Nos. 39627-E to 39639-E, incl.)

This product was found to contain rodent hairs and insect fragments.

On January 5, 1942, the United States attorney for the Eastern District of Arkansas filed an information against A. Karcher Candy Co., a corporation, Little Rock, Ark., alleging shipment on or about December 16, 1940, and January 10, 15, 21, and 30, 1941, from the State of Arkansas into the State of Louisiana of quantities of the above-named product which was adulterated. It was labeled in part: "Cinnamon Imperials," "Jelly Beans," "Boston Baked Beans," "Klondike Grab Bag," "Dixie Peanut Squares," "Boomers," "Tuxedo Bon Bons," "Goober Patties," "Marigolds," "Twirlers," "Star Chocolates," "Black Walnut Fudge," or "Chocolate Goobers."

The article 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.

On April 17, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$500.

3198. Adulteration of candy. U. S. v. Martin Candy Co. Tried by the court. Judgment of guilty. Fine, \$250 on each of 2 counts. Payment of fine on second count suspended and defendant placed on probation. (F. D. C. No. 4172. Sample Nos. 45080-E, 52502-E.)

This product contained filth.

On August 25, 1941, the United States attorney for the Northern District of Texas filed an information against the Martin Candy Co., a corporation at Dallas, Tex., alleging shipment on or about June 21 and August 16, 1940, from the State of Texas into the States of Idaho and Montana, of quantities of candy that 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 article was labeled in part: (Boxes) "Delicious Bofe-Uvus"; or "Martin's U-Like-Um Bar."

On February 23, 1942, a plea of not guilty having been entered on behalf of the defendant, the case was tried to the court and a judgment of guilty was entered and a fine of \$250 was imposed on each count. The fine on the second count was suspended and the defendant was placed on probation for 6 months.

3199. Adulteration of candy. U. S. v. Orville A. Sebring and Clarence W. Berry (Tyler Candy Co.). Pleas of nolo contendere. Fines, \$50. (F. D. C. No. 5509. Sample Nos. 35858-E to 35861-E, incl., 39937-E, 43868-E.)

Examination showed that this product contained rodent hairs and insect fragments.

On November 17, 1941, the United States attorney for the Eastern District of Texas filed an information against Orville A. Sebring and Clarence W. Berry, trading as Tyler Candy Co. at Tyler, Tex., alleging shipment in interstate commerce within the period from on or about January 8 to on or about February 28, 1941, from the State of Texas into the States of Kansas, Arkansas, and Louisiana, of quantities of candy that was adulterated. It was labeled in part: "Tyler Maid Penny Peco [or "Penny Stick," "Coconut Fresh Pattie," "Coconut Leaf," "Peanut-Patties," or "Fresh Pattie"]."

The article 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.

On February 10, 1942, the defendants having entered pleas of nolo contendere, the court imposed a fine of \$25 upon each defendant.

3200. Adulteration of candy. U. S. v. 12 Boxes and 29 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 6771. Sample Nos. 79158-E, 79159-E.)

Examination of this product showed that it was contaminated with filth, such as rodent hairs and excreta, and insect fragments.