

boxes of candy at Augusta, Ga., alleging that the article had been shipped in interstate commerce on or about January 26, 28, and 30, and February 7 and 14, 1942, by Fogle Candy Co. from Charlotte, N. C.; 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. The article was labeled in part: (Bars) "Cab," "Nut Roll," "Cocoanut Roll," "Fogle Special," "Fogle Cocoanut," "Stick," "Cream Bar," or "Rainbow."

On April 2 and 10, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3408. Adulteration and misbranding of candy. U. S. v. 24 Boxes, 24 Boxes, 24 Boxes, 48 Boxes, and 48 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 6926, 6972. Sample Nos. 85350-E, 85352-E, 85364-E, 85365-E.)

Examination showed that this product was contaminated with filth, such as insect fragments and hairs resembling rodent hairs, a portion was short weight, and a portion (the marshmallows) contained an undeclared coal-tar color.

On February 26 and March 4, 1942, the United States attorney for the District of Oregon filed libels against 168 boxes, each containing 24 bars, of candy at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about February 3 and 16, 1942, by Matzger Chocolate Co. from San Francisco, Calif.; and charging that it was adulterated and misbranded. It was labeled in part: (Bar wrapper) "Matzger's Big Marshmallow [or "Yum Yum" or "Wham!"]"

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance. The lot shipped on February 3 was alleged to be adulterated further in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

A portion of the candy shipped on February 3 was alleged to be misbranded in that the statement "Net Weight 2 Ozs." was false and misleading as applied to an article that was short weight, and in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents. A portion of the candy shipped on February 16 was alleged to be misbranded in that it contained artificial coloring and failed to bear labeling stating that fact.

On April 13, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3409. Adulteration of candy. U. S. v. 43 Boxes, 71 Boxes, and 87 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 6928, 6929, 6986. Sample Nos. 87138-E, 90431-E, 90671-E.)

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

On February 25 and March 4, 1942, the United States attorneys for the District of Rhode Island, District of Massachusetts, and the District of Columbia filed libels against 43 boxes of candy at Providence, R. I., 71 boxes of candy at Cambridge, Mass., and 87 boxes of candy at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about January 26 and February 9 and 16, 1942, by Schingen Candies from Philadelphia, Pa.; 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. The article was labeled in part: (Boxes) "Jumbo Ko-Kets 80 Tourraine Brand."

On April 3, 22, and 27, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3410. Adulteration of candy. U. S. v. 22, 47, and 47 Boxes of Candy, (and 5 additional seizure actions against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 5824, 5927, 5982, 5989, 5990, 6087. Sample Nos. 50333-E to 50335-E, incl., 50590-E, 50591-E, 50879-E, 50880-E, 50882-E to 50884-E, incl., 59036-E, 59037-E, 59040-E, 59042-E to 59044-E, incl., 59046-E.)

Examination of this product showed the presence of one or more of the following types of filth: Rodent hairs, insects, insect fragments, or larvae.

Between September 22 and October 27, 1941, the United States attorneys for the Middle District of Pennsylvania, Western District of Virginia, and the District