

LIBELED: 8-17-61, W. Dist. Mo.

CHARGE: 402(a)(3)—contained charred, burned, or scorched kernels of wheat when shipped.

DISPOSITION: 10-2-61. Consent—claimed by Lipscomb Grain & Seed Co., Springfield, Mo., and released under bond to be converted into animal feed.

27572. Whole wheat mix. (F.D.C. No. 44930. S. No. 90-334 P.)

INFORMATION FILED: 10-29-60, Dist. Conn., against Rose Mill, Inc., Milford, Conn., and H. Roland Frickenhaus, president of the corporation.

SHIPPED: 1-4-60, from Connecticut to Maine.

LABEL IN PART: (Bag) "NET WEIGHT 100 POUNDS A Grist Mill Since 1709 100% STONE GROUND WHOLE WHEAT MIX ROSE MILL INCORPORATED MILFORD, CONN."

CHARGE: 402(a)(3)—contained rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-8-61. Corporation fined \$750; individual fined \$500, given a suspended sentence of 8 months in prison, and placed on probation for 3 years.

CONFECTIONERY AND HONEY

27573. Candy. (F.D.C. No. 46322. S. No. 71-921 R.)

QUANTITY: 47 cases, 60 boxes each, at Minneapolis, Minn.

SHIPPED: 8-2-61, from Brooklyn, N.Y., by Banner Candy Mfg. Corp.

LABEL IN PART: (BOX) "Boston Baked Beans Banner Net Wt. 2 Ozs. * * * Manufactured by Banner Candy Mfg. Corp. Brooklyn, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 9-5-61, Dist. Minn.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 10-23-61. Default—delivered to charitable institutions.

27574. Candy. (F.D.C. No. 46236. S. No. 88-023 R.)

QUANTITY: 59 cases, 24 bags each, at Baltimore, Md.

SHIPPED: 7-10-61, from Philadelphia, Pa., by National Licorice Co.

LABEL IN PART: (Bag) "Acme Virginia Lee Licorice Twist Ingredients: * * * Distributed by American Stores Co., General Offices, Phila., Pa. Net Wt. 6 Oz."

RESULTS OF INVESTIGATION: Examination showed that the ingredients and quantity of contents statements were printed in a dark colored ink and were inconspicuous against the black candy in the background.

LIBELED: 8-8-61, Dist. Md.

CHARGE: 403(f)—when shipped, the information required to appear on the label under 403(e)(2) and (i)(2), namely, the quantity of contents statements, and the ingredients statements, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or

devices, in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 10-3-61. Default—delivered to charitable institutions.

27575. Candy. (F.D.C. No. 45546. S. No. 40-013 R.)

INFORMATION FILED: 5-26-61, E. Dist. Mo., against Dye Candy Co., a corporation, St. Louis, Mo., and Ernest W. Dye, president.

SHIPPED: Between 8-5-60 and 8-18-60, from Missouri to Illinois.

LABEL IN PART: (Case) "30 LBS. NET NO. 201 PECO FLAKE Made by DYE CANDY COMPANY St. Louis, Mo."

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 6-19-61. Corporation fined \$500; individual fined \$100, plus costs.

27576. Candy. (F.D.C. No. 46297. S. No. 85-119 R.)

QUANTITY: 119 cases, 24 boxes each, at East Saint Louis, Ill.

SHIPPED: 6-27-61 and 7-7-61, from Elizabeth, N.J., by Ce De Candy, Inc.

LABEL IN PART: (Box) "Assorted Flavors Smarties Wafers 20 Rolls Net Wt. 4 $\frac{1}{3}$ Oz. * * * Ce De Candy, Inc. Elizabeth, N.J."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-15-61, E. Dist. Ill.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 10-5-61. Default—delivered to a charitable institution.

27577. Candy. (F.D.C. No. 46434. S. Nos. 91-333/6 R.)

QUANTITY: 40 ctns., 24 bags of pieces of candy of different flavors and colors according to the flavor, at Brooklyn, N.Y.

SHIPPED: 5-24-61 and 7-14-61, from Elizabethtown, Pa., by C. H. Simon Candy Co.

LABEL IN PART: (Bags) "Simons Spearmint [or "Cherry" or "Lemon" or "Cool Mints"] * * * Mfg. by C. H. Simon Candy Co. Elizabethtown, Penna. * * * Net Wt. 6.75 Oz."

LIBELED: 9-8-61, E. Dist. N.Y.

CHARGE: 403(f)—the information required to appear on the label under 403(e)(1) and (2), (i)(2), and (k), namely, the name and address of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents, the common or usual name of each ingredient, and a declaration of the presence of artificial flavors and colors, was not prominently placed thereon (as compared with other words, designs, or statements in its labeling), as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 10-10-61. Default—delivered to a charitable institution.

27578. Life Savers (candy). (F.D.C. No. 46244. S. No. 84-569 R.)

QUANTITY: 89 cases, 20 pkgs. of 6 rolls each, at Kearny, N.J.