

**PRODUCT:** 50 boxes, each containing 60 ¼-ounce bars, of candy at Portland, Maine.

**LABEL, IN PART:** (Wrapper) "Peanut Cornette \* \* \* Ingredients: Sugar, Peanuts, Corn Syrup, Molasses, Pop Corn, Salt, Vegetable Oil."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (4), puffed rice had been mixed with the article so as to increase its bulk and make it appear to contain more peanuts than it did, and thus to be of greater value than it was.

Misbranding, Section 403 (a), the name of the article, "Cornette," and the prominent designation of the word "peanut," which appeared on the label, was misleading since the article contained no popcorn and a very small amount of peanuts, and the designation of popcorn as an ingredient of the article was false and misleading since the article contained no popcorn; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since puffed rice was not referred to on the label.

**DISPOSITION:** July 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

**7056. Adulteration of nut crunch. U. S. v. Relco Bakers Specialty Co., Inc. Plea of guilty. Fine, \$100. (F. D. C. No. 7758. Sample Nos. 19681-F, 29525-F.)**

**INFORMATION FILED:** July 18, 1944, Southern District of New York, against Relco Bakers Specialty Co., Inc., New York, N. Y.

**ALLEGED SHIPMENT:** On June 29 and July 7, 1942, from the State of New York into the States of Massachusetts and North Carolina.

**LABEL, IN PART:** "Nut Crunch," and (portion) "Relco Brand."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect larvae, insect fragments, feather barbules, mammalian hairs similar to cat and rodent hairs, and beetles; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** July 25, 1944. A plea of guilty was entered and a fine of \$100 was imposed, \$50 on each of the 2 counts.

**7057. Adulteration of chocolate-covered peanuts. U. S. v. National Candy Co., Inc. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 11416. Sample No. 49129-F.)**

**INFORMATION FILED:** June 12, 1944, Eastern District of Missouri, against National Candy Co., Inc., St. Louis, Mo.

**ALLEGED SHIPMENT:** From on or about November 9 to 17, 1943, from the State of Missouri into the State of Ohio.

**VIOLATION CHARGED:** Adulteration, Section 402 (d), the article was confectionery, and it bore or contained a nonnutritive substance, mineral oil.

**DISPOSITION:** June 27, 1944. A plea of nolo contendere was entered and the court imposed a fine of \$400.

#### COCOA AND COCOA PRODUCTS

**7058. Adulteration and misbranding of ground cocoa. U. S. v. 260 Bags of "Cocoa." Default decree of condemnation and destruction. (F. D. C. No. 12041. Sample No. 35765-F.)**

**LIBEL FILED:** On or about March 20, 1944, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about September 29, 1943, by Royale Popcorn Co., from Joliet, Ill.

**PRODUCT:** 260 unlabeled bags, each containing 40 pounds, of "cocoa" at Atlanta, Ga. The product was invoiced by J. B. Robinson, Cleveland, Ohio, (Royale Popcorn Co.), as "Cocoa."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a mixture of cacao shell and powdered cacao bean had been substituted in whole or in part for cocoa, which the article was represented to be; and, Section 402 (b) (4), cacao shell had been added to the article or mixed or packed therewith so as to reduce its quality or strength.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food; Section 403 (e) (1), it was in package form and failed to bear