LABEL, IN PART: "Raisin-Bran Whole Wheat Flakes with Raisins Bran and Salt Added."

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 weevils and larvae.

DISPOSITION: November 2, 1944. The owner of the product having advised the court that it would not contest action, judgment of condemnation was entered and the product was ordered destroyed.

7559. Adulteration of ground wheat. U. S. v. 667 Bags of a Cereal Product. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14967. Sample No. 81476-F.)

LIBEL FILED: January 6, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about December 14, 1944, by the Nebraska Consolidated Mills Co., from Omaha, Nebr.

PRODUCT: 667 90-pound bags of ground wheat at Council Bluffs, Iowa.

LABEL, IN PART: "Property of Dwarfies Corp. Council Bluffs, Iowa."

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 rodent excreta fragments.

DISPOSITION: January 31, 1945. The Nebraska Consolidated Mills, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be rendered obviously unfit for human consumption, under the supervision of the Food and Drug Administration.

CHOCOLATE, SUGARS, AND RELATED PRODUCTS*

CANDY

7560. Adulteration of confectionery, bakery products, and nuts. U. S. v. O. P. Baur Confectionery Co. Plea of nolo contendere. Fine, $1,400. (F. D. C. No. 12594. Sample Nos. 57999-F, 58000-F, 58361-F, 58363-F, 58364-F, 69831-F, 69835-F.)

INFORMATION FILED: October 30, 1944, District of Colorado, against the O. P. Baur Confectionery Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: Between the approximate dates of March 1 and 15, 1944, from the State of Colorado into the States of Illinois, Texas, Kansas, California, Florida, and Wyoming.

LABEL, IN PART: (Portions) "Baur's * * * Crystal Cuts [or "Fancy Cakes," "Colorado Asst.", or "Chocolates"]."

VIOLATIONS CHARGED: Adulteration, Section 402 (a (3), the products consisted in whole or in part of filthy substances by reason of the presence of one or more of the following: Rodent hair fragments, rodent hair, animal hair resembling a cat hair, hair resembling rodent hair, hairs resembling dog hairs, larvae, an insect, insect parts, and a feather barbule; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 27, 1944. A plea of nolo contendere having been entered, the defendant was fined $200 on each of the 7 counts, a total fine of $1,400.

7561. Adulteration of candy. U. S. v. Jackson Chocolate Co. Plea of guilty. Fine, $1,000 and costs. (F. D. C. No. 12565. Sample Nos. 50315-F, 50331-F, 50332-F, 59548-F.)

INFORMATION FILED: November 3, 1944, Northern District of Ohio, against the Jackson Chocolate Co., a partnership, Cleveland, Ohio.

ALLEGED SHIPMENT: Between the approximate dates of December 14, 1943, and February 1, 1944, from the State of Ohio into the States of Pennsylvania and Michigan.

LABEL, IN PART: "Jackson's Gold Box," or "Jackson's Chocolates Bitter Sweet * * * Vanilla [or "Coffee," "Butterscotch," or "Maple"] Cream * * * Velva."

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*See also Nos. 7641, 7676

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 rodent hairs, hairs resembling rodent hairs, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 16, 1944. A plea of guilty having been entered, the defendant was fined $250 on each of 4 counts, a total fine of $1,000 and costs.

7562. Adulteration and misbranding of licorice candy. U. S. v. Licorice Products Co. Plea of guilty. Fine, $400 and costs. (F. D. C. No. 12570. Sample Nos. 40664–F, 55025–F.)

INFORMATION FILED: September 26, 1944, Northern District of Iowa, against the Licorice Products Co., a corporation, Dubuque, Iowa.

ALLEGED SHIPMENT: Between the approximate dates of December 22, 1943, and January 14, 1944, from the State of Iowa into the States of Minnesota and Illinois.

LABEL, IN PART: (Cases, portion) "Licorice El-Pee Co. Specialties * * * Licorice Bricks."

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 larvae, larva and adult weevil parts, rodent hairs, and unidentified hairs; Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (d), the product was confectionery, and it bore or contained a nonnutritive substance, mineral oil or petrolatum.

Misbranding, 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 of the ingredients.

DISPOSITION: December 5, 1944. A plea of guilty having been entered on behalf of the defendant, the defendant was fined $100 on each of 4 counts, together with costs.

7563. Adulteration of gift packages of candy and nuts. U. S. v. 100 Cartons of Altray Gift Pack. Default decree of condemnation and destruction. (F. D. C. No. 13949. Sample No. 73288–F.)

LIBEL FILED: October 17, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about March 31, 1944, by R. L. Albert and Son, Inc., from New York, N. Y.

PRODUCT: 100 cartons of gift packages at San Francisco, Calif.

This product consisted of a fancy box containing taffy, gumdrops, hard candies, and salted peanuts.

LABEL, IN PART: "Altray Gift Pack Net Weight 1 Lb. 4 oz."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of beetles.

DISPOSITION: November 29, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7564. Misbranding of Spanish nut toffee. U. S. v. 130 Boxes of Spanish Nut Toffee. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14692. Sample No. 75667–F.)

LIBEL FILED: December 1, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 1, 1944, by the California Fruit Chimes Co., from Los Angeles, Calif.

PRODUCT: 130 5-ounce boxes of Spanish nut toffee at Pittsburgh, Pa.

LABEL, IN PART: "Spanish Nut Toffee, Deliciously Different."

VIOLATION CHARGED: Misbranding, Section 403 (d), the container of the product was so filled as to be misleading since there was an excessive amount of unfilled space in the box.

DISPOSITION: January 4, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.