

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, a larva, rodent hair fragments, and hairs resembling those of a rodent; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 31, 1946. A plea of guilty having been entered, the defendant was fined \$4,000.

**10254. Adulteration of candy. U. S. v. Gurley Chocolate Co. Plea of guilty. Fine, \$50 on first count. Imposition of sentence suspended on remaining count, and defendant placed on probation for 1½ years. (F. D. C. No. 17795. Sample Nos. 18342-H, 18343-H.)**

**INFORMATION FILED:** January 14, 1946, against the Gurley Chocolate Co., a partnership, Minneapolis, Minn.; order amending information filed February 11, 1946.

**ALLEGED SHIPMENT:** On or about February 5, 1945, from the State of Minnesota into the State of South Dakota.

**LABEL, IN PART:** "Casablanca Package," or "Royal Chocolates."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, wood fibers, and (in one of the shipments) a small piece of a rock-like material; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** On February 11, 1946, a plea of guilty having been entered, a fine of \$50 was imposed on the first count. Imposition of sentence was suspended on the remaining count, and the defendant was placed on probation for 1½ years.

**10255. Adulteration of candy. U. S. v. 200 Boxes of Candy. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17751. Sample No. 35104-H.)**

**LIBEL FILED:** October 4, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about May 25, 1945, by the Caracanda Brothers Co., from Tampa, Fla.

**PRODUCT:** 200 90-pound boxes of hard candy at St. Louis, Mo.

**LABEL, IN PART:** "Hard Candies Diamond \* \* \* Product of Cuba."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of cockroach pellets and nondescript dirt.

**DISPOSITION:** October 25, 1945. The Hochman Sales and Surplus Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it should not be sold or disposed of in violation of the law.

**10256. Adulteration of coconut parfait, maple creams, and caramels. U. S. v. 45 Cartons and 14 Cartons of Fresh Coconut Parfait, 49 Boxes of Maple Creams, and 19 Boxes of Caramels. Default decrees of destruction. (F. D. C. Nos. 17446, 18354, 18388. Sample Nos. 3530-H, 12501-H, 12502-H, 13820-H.)**

**LIBELS FILED:** September 13 and November 13 and 15, 1945, Southern District of Indiana and Districts of Maine and Maryland.

**ALLEGED SHIPMENT:** July 12 and 13 and October 3, 1945, by the Bluebird Candy Co., from Lawrence, Mass.

**PRODUCT:** 45 30-pound cartons of fresh coconut parfait at Anderson, Ind., and 14 30-pound cartons of the same article at Frederick, Md; and 49 5-pound boxes of maple creams and 19 5-pound boxes of caramels at Auburn, Maine.

The coconut parafait was moldy, and a portion was also rancid. The maple creams and caramels were rancid and contained larvae and rodent hair fragments.

**LABEL, IN PART:** "Product of Cuba Fresh Coconut Parfait," "Maple Creams," or "Caramels."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the coconut parfait consisted in whole or in part of a decomposed substance, and the maple creams and caramels, of filthy and decomposed substances.

**DISPOSITION:** November 5 and December 29, 1945, and January 3, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**10257. Adulteration of candy. U. S. v. 45 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 17750. Sample No. 35103-H.)

**LIBEL FILED:** October 4, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about June 6, 1945, by the Carol Lynn Products Co., from Chicago, Ill.

**PRODUCT:** 45 30-pound, or 42-pound, boxes of candy at St. Louis, Mo.

**LABEL, IN PART:** "Product of Cuba \* \* \* Hav-A-Candy," or "Product of Cuba Hard Candies Royal Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of cockroach pellets and nondescript dirt.

**DISPOSITION:** November 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10258. Adulteration of candy. U. S. v. 23 Cases of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 17935. Sample No. 14425-H.)

**LIBEL FILED:** October 15, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 17, 1945, by the Kar Nut Products Co., from Detroit, Mich.

**PRODUCT:** 23 46-pound cases of candy at Cleveland, Ohio.

**LABEL, IN PART:** "Rhumba Balls."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of moths, larvae, and insect fragments.

**DISPOSITION:** November 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10259. Adulteration of chocolate-flavored sirup. U. S. v. 44 Cases of Chocolate Flavored Syrup (and 3 other seizure actions against chocolate flavored sirup). Default decrees of condemnation and destruction.** (F. D. C. Nos. 17538, 19145, 19146, 19305. Sample Nos. 14477-H, 38938-H, 50672-H, 51021-H.)

**LIBELS FILED:** February 16, 19, and 27 and March 12, 1946, Eastern District of Wisconsin, Northern District of Iowa, District of Minnesota, and Northern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of October 26, 1945, and January 5, 1946, by the National Cereal Products Co., from Chicago, Ill.

**PRODUCT:** Chocolate-flavored sirup. 44 cases at Racine, Wis.; 27 cases at Waterloo, Iowa; 46 jars at New Ulm, Minn.; and 28 cases at Toledo, Ohio. Each case contained 24 1-pound jars.

**LABEL, IN PART:** "National Brand Homogenized Chocolate Flavored Syrup," or "Del Haven Brand Chocolate Flavored Syrup \* \* \* Packed for Federated Foods, Inc. Chicago Ill. San Francisco Calif."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and could be avoided by good manufacturing practice.

**DISPOSITION:** March 18, April 23 and 30, and June 29, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**10260. Adulteration of chocolate sirup. U. S. v. 21 Cases of Chocolate Syrup. Default decree of condemnation and destruction.** (F. D. C. No. 17700. Sample No. 10353-H.)

**LIBEL FILED:** On or about September 28, 1945, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about March 1, 1945, by Alexander The Great Beverages, from New York, N. Y.