CHOCOLATE AND CANDY

11877. Adulteration of chocolate. U. S. v. 98 Cases * * *. (F. D. C. No. 21884. Sample No. 53919–H.)

LIBEL FILED: December 24, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about January 15 and November 26, 1946, by Rockwood & Co., from Brooklyn, N. Y.

PRODUCT: 98 cases, each containing 50 pounds, of sweet chocolate at Cleveland, Ohio.

LABEL, IN PART: "Greeland CTG Sweet Chocolate."

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 insects and insect fragments.

DISPOSITION: On January 2, 1947, Rockwood & Co. filed an answer disclaiming interest in the product and averring that the product was in perfect condition and complied in all respects with the law when delivered for shipment to the consignee.

On January 9, 1947, the Telling-Belle Vernon Co., Cleveland, Ohio, having appeared as claimant, and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. Accordingly, the product was scraped and cleaned in order to eliminate all filth.

11878. Adulteration and misbranding of candy. U. S. v. Western Candy Company. Plea of nolo contendere. Fine of $50 on each of counts 1, 2, and 3; sentence suspended on remaining 3 counts. (F. D. C. No. 22060. Sample Nos. 18429–H, 67233–H, 67235–H, 67239–H.)

INFORMATION FILED: May 7, 1947, Western District of Oklahoma, against the Western Candy Co., a corporation, Clinton, Okla.

ALLEGED SHIPMENT: On or about August 29, 1946, from the State of Oklahoma into the States of North Dakota and Nebraska.

LABEL, IN PART: "Ann's Toasted Coconut Bar Net Wt. 1¼ Oz."

NATURE OF CHARGE: Adulteration, Section 402 (d), the article was confectionery, and it contained mineral oil, a nonnutritive substance.

Misbranding, Section 403 (e) (2), a portion of the article failed to bear a label containing an accurate statement of the quantity of the contents, in that the net weight of the article was less than that declared on the label.

DISPOSITION: June 2, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $150 on the first 3 counts of the information and suspended sentence on the remaining 3 counts, conditioned on the defendant's compliance with the law for a period of 3 years.

11879. Adulteration of candy. U. S. v. 330 Boxes * * *. (F. D. C. No. 21874. Sample Nos. 51959–H, 51960–H.)

LIBEL FILED: December 19, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about September 5, 1946, by the Standard Candy Co., from Philadelphia, Pa.

PRODUCT: 330 boxes each containing 24 1¼-ounce candy bars at St. Paul, Minn.

LABEL, IN PART: "Play-Mates," or "Buddy Roll Original Cocoanut Flavored Confection."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects.

DISPOSITION: April 8, 1947. No claimant having appeared, judgment was entered ordering that the product be destroyed or denatured and disposed of as animal feed, under the supervision of the Food and Drug Administration.

11880. Adulteration of candy. U. S. v. 78 Boxes * * * (and 2 other seizure actions). (F. D. C. Nos. 23120, 23121, 23153. Sample Nos. 55329–H, 74856–H, 74858–H.)

LIBELS FILED: On or about May 20 and 29, 1947, District of Rhode Island and Southern District of Florida.