

**DISPOSITION:** May 2, 1949. Default decrees of condemnation. The products were ordered destroyed, with the exception of one box from each type of candy, which the court ordered delivered to the Food and Drug Administration, for official purposes.

**14958. Adulteration and misbranding of chocolate Easter eggs and adulteration of chocolate rabbits. U. S. v. 4 Cases, etc. (F. D. C. No. 26914. Sample Nos. 16991-K, 16992-K.)**

**LIBEL FILED:** April 5, 1949, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about February 12, 1949, by Chocolate Creations, Inc., from New York, N. Y.

**PRODUCT:** 4 cases each containing 12 chocolate Easter eggs, and 26 cases each containing 12 chocolate rabbits, at Milwaukee, Wis.

**LABEL, IN PART:** "Milk Chocolate Net Wt. 2 Oz." or "Chocolate Rabbit Net Wt. 7 Oz."

**NATURE OF CHARGE:** Chocolate Easter eggs and chocolate rabbits. Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insect and rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

Chocolate Easter eggs. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The eggs were short-weight.)

**DISPOSITION:** May 2, 1949. Default decree of condemnation. The court ordered that the product be destroyed, with the exception of certain samples which were to be taken for official purposes by the Food and Drug Administration.

**14959. Adulteration of candy jelly bird eggs and chocolate marshmallow Easter eggs. U. S. v. 343 Cases, etc. (F. D. C. No. 26888. Sample Nos. 53280-K, 53281-K.)**

**LIBEL FILED:** March 23, 1949, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about February 16, 1949, by the Riggi Candy Co., from Chicago, Ill.

**PRODUCT:** 343 35-pound cases of candy jelly bird eggs; and 10 cases each containing 30 cartons and each carton containing 1 dozen chocolate marshmallow Easter eggs, at New Orleans, La.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the jelly bird eggs were unfit for food by reason of the presence of wood fragments, and the chocolate marshmallow Easter eggs consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** August 19, 1949. Default decree of condemnation and destruction.

**14960. Adulteration and misbranding of chocolate-covered eggs. U. S. v. 4 Cases \* \* \*. (F. D. C. No. 26979. Sample No. 7947-K.)**

**LIBEL FILED:** April 7, 1949, Northern District of West Virginia.

**ALLEGED SHIPMENT:** On or about March 14, 1949, by the Sterling Specialty Co., from Pittsburgh, Pa.

**PRODUCT:** 4 cases, each containing 24 cartons, of chocolate-covered eggs, at Weirton, W. Va. Each carton contained one egg.

**LABEL, IN PART:** (Carton) "Lady Sterling Quality Candies Deluxe Hand Rolled Chocolate Covered Fruit and Nut Egg One Pound Net."

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

Misbranding, Section 403 (d), the container was so made, formed, and filled as to be misleading since the carton was too large for the amount of candy contained therein. (The product occupied less than 70 percent of the volume of the container.)

**DISPOSITION:** May 17, 1949. Default decree of condemnation and destruction.

**14961. Adulteration of chocolate-covered eggs. U. S. v. 54 Boxes \* \* \*.**  
(F. D. C. No. 26923. Sample No. 7954-K.)

**LIBEL FILED:** April 6, 1949, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about March 14, 1949, by the Sterling Specialty Co., from Pittsburgh, Pa.

**PRODUCT:** 54 2-pound boxes of chocolate-covered eggs at Youngstown, Ohio.

**LABEL, IN PART:** "Lady Sterling Quality Candies Deluxe Hand Rolled Milk Chocolate Covered Fruit and Nut Egg Two Pounds Net."

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

**DISPOSITION:** July 15, 1949. Default decree of condemnation and destruction.

## DAIRY PRODUCTS

### MILK AND CREAM

**14962. Adulteration of milk. U. S. v. Charles Howard Donaldson. Plea of guilty. Fine, \$250.** (F. D. C. No. 26328. Sample No. 40529-K.)

**INFORMATION FILED:** February 23, 1949, Western District of Washington, against Charles Howard Donaldson, a partner and manager of Donaldson Brothers, a partnership, Brush Prairie, Wash.

**ALLEGED SHIPMENT:** On or about July 16, 1948, from the State of Washington into the State of Oregon.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water had been substituted in part for milk; and, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength.

**DISPOSITION:** July 12, 1949. A plea of guilty having been entered, the court imposed a fine of \$250.

**14963. Adulteration of churning cream. U. S. v. 2 10-Gallon Cans \* \* \*.**  
(F. D. C. No. 27030. Sample No. 29291-K.)

**LIBEL FILED:** March 15, 1949, District of Colorado.

**ALLEGED SHIPMENT:** On or about March 12, 1949, by Stires Produce, from Atwood, Kans.