

CHOCOLATE AND CANDY

15072. Adulteration of chocolate coating. U. S. v. 14 Bags, etc. (F. D. C. No. 27091. Sample Nos. 42881-K, 58700-K.)

LIBEL FILED: May 23, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 18 and June 16, 1948, from Florin, Pa.

PRODUCT: 61 200-pound bags of chocolate coating at Chicago, Ill., in possession of the Kimbell Candy Co.

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- and insect-eaten chocolate, insect and rodent excreta, rodent hairs, and insect webbing; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 17, 1949. The Kimbell Candy Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of removing and denaturing the unfit portion and salvaging the wholesome portion, under the supervision of the Food and Drug Administration. The salvaging operations resulted in the denaturing of 346 pounds and the salvaging of 11,827 pounds.

15073. Adulteration of cocoa beans. U. S. v. 300 Bags * * *. (F. D. C. No. 26417. Sample No. 5705-K.)

LIBEL FILED: January 19, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about January 16, 1947, from New York, N. Y.

PRODUCT: 300 140-pound bags of cocoa beans at Cambridge, Mass.

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 rodent excreta. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 28, 1949. The C. A. Briggs Co., Cambridge, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation and the removal of all objectionable material, under the supervision of the Federal Security Agency. The segregation operations were completed on or about June 2, 1949. Of the total of 355 bags which had been seized, 24 bags were segregated as unfit and were destroyed.

15074. Adulteration of candy. U. S. v. Max M. Leon (Whole-Sum Products Co.), and Meyer S. Troop. Pleas of nolo contendere. Max M. Leon fined \$100 on count 1; imposition of sentence on count 2 against this defendant was suspended, and he was placed on probation for 2 years. Meyer S. Troop fined \$25 on each of counts 1 and 2. (F. D. C. No. 26766. Sample Nos. 2773-K, 42703-K.)

INFORMATION FILED: May 26, 1949, Eastern District of Pennsylvania, against Max M. Leon, trading as the Whole-Sum Products Co., at Philadelphia, Pa., and against Meyer S. Troop, superintendent of the company.

ALLEGED SHIPMENT: On or about January 3 and 13, 1949, from the State of Pennsylvania into the State of Michigan and the District of Columbia.