

## CANDY

**19701. Alleged adulteration of candy. U. S. v. John H. Wellons (Wellons Candy Co. and Supreme Candy Co.), and Calvin G. Wellons.** Plea of nolo contendere by John H. Wellons; fine, \$150. Plea of not guilty by Calvin G. Wellons; verdict of not guilty. (F. D. C. No. 33842. Sample Nos. 3550-L, 39291-L, 39292-L.)

**INFORMATION FILED:** December 19, 1952, Eastern District of North Carolina, against John H. Wellons, trading under the firm names of the Wellons Candy Co. and the Supreme Candy Co., and Calvin G. Wellons, general manager.

**ALLEGED SHIPMENT:** On or about July 25 and August 8, 1952, from the State of North Carolina into the State of Virginia.

**LABEL, IN PART:** "Rainbow Bar," "Cabbage Bar," "Choo Choo Bar," "Jazz Bar," "Pixie Bar," "Supreme Nut Tic Tic Tic Roll," and "Wellons Nut Roll."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, larval head capsules, insect fragments, larvae, larval cast skins, mites, aphids, rodent hairs, and rodent hair fragments.

**DISPOSITION:** April 9, 1953. A plea of nolo contendere having been entered by John H. Wellons and a plea of not guilty by Calvin G. Wellons, the court fined John H. Wellons \$150 and found Calvin G. Wellons not guilty.

**19702. Adulteration of candy. U. S. v. 2,226 Boxes \* \* \*. (F. D. C. No. 32867. Sample Nos. 11748-L, 11928-L, 11929-L.)**

**LIBEL FILED:** March 11, 1952, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about December 27, 1951, and January 16, 1952, by Luden's, Inc., from Reading, Pa.

**PRODUCT:** 2,080 boxes, each containing 24 candy bars, 99 boxes, each containing 120 candy bars, and 47 boxes, each containing 100 candy bars, at Cincinnati, Ohio.

**LABEL, IN PART:** "Luden's Chocolate Covered Mellomint Pattie Net Wt. 1¼ Oz." and "Almond Royal Milk Chocolate Net Wt. 1½ Oz."

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

**DISPOSITION:** April 16, 1952. Default decree of condemnation and destruction.

**19703. Adulteration and misbranding of candy. U. S. v. 232 Boxes \* \* \*. (F. D. C. No. 32957. Sample No. 33699-L.)**

**LIBEL FILED:** March 20, 1952, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about February 10, 1952, by Dagmar Candy Mfg. Co., Inc., from Newark, N. J.

**PRODUCT:** 232 boxes of candy at Chicago, Ill.

**LABEL, IN PART:** (Box) "The Original Whistle-Pop Net Weight 4½ Ounces 10 Delicious Lollipops that Whistle."

**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

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

Misbranding, Section 403 (e) (2), the article was in package form, and its label failed to bear an accurate statement of the quantity of the contents since the label statement "Net Weight 4½ Ounces" was inaccurate. (The product was short of the declared weight.)

**DISPOSITION:** June 17, 1952. Default decree of condemnation and destruction. On June 19, 1952, an amended decree was entered ordering that a sample of the article be delivered to the Food and Drug Administration and that the remainder be destroyed.

**19704. Adulteration of candy. U. S. v. 9 Cartons \* \* \*. (F. D. C. No. 34603. Sample No. 41728-L.)**

**LIBEL FILED:** January 19, 1953, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 11, 1952, by the Akron Candy Co., from Bellevue, Ohio.

**PRODUCT:** 9 cartons, each containing 28 bars, of candy at Philadelphia, Pa.

**LABEL, IN PART:** (Tag attached to pliofilm bag) "Lady Margaret Net Wt. 15 Oz. Caramel Nut Fudge Roll."

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

**DISPOSITION:** July 9, 1953. Default decree of condemnation and destruction.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

**19705. Adulteration of fruitcake. U. S. v. 11 Cases \* \* \*. (F. D. C. No. 33702. Sample No. 46373-L.)**

**LIBEL FILED:** September 16, 1952, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about August 21, 1952, the Tasso Plantation Foods, Arabi, La., delivered the product to New Orleans, La., for shipment to the Panama Canal Zone.

**PRODUCT:** 11 cases, each containing 24 1-pound cans, of fruitcake at New Orleans, La.

**LABEL, IN PART:** (Can) "Old New Orleans Fruit Cake."

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

**DISPOSITION:** October 21, 1952. Default decree of condemnation and destruction.

### FLOUR \* \* \*

**19706. Adulteration of flour. U. S. v. 70 Bags, etc. (F. D. C. No. 34736. Sample Nos. 64841-L, 64842-L.)**

**LIBEL FILED:** March 3, 1953, Southern District of Iowa.

\*See also No. 19738.