

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 22101-22200**

Adulteration, Section 402 (a) (2), the article contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; and, Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to such definition and standard; Section 403 (h) (1), the article purported to be and was represented as a food for which a standard of quality has been prescribed by regulations and its quality fell below such standard, and its label failed to bear, in such manner and form as the regulations specify, a statement that it fell below such standard; Section 403 (i) (2), the article was not subject to the provisions of Section 403 (g) and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), the article contained a chemical preservative, and it failed to bear labeling stating that fact.

BEVERAGES AND BEVERAGE MATERIALS *

22101. Coffee. (F. D. C. No. 37305. S. Nos. 68-851/2 L.)

QUANTITY: 94 3-lb. tins at New York, N. Y.

SHIPPED: On 3-10-54, a quantity of coffee was shipped by M. W. Salomon & Sons, New Orleans, La., as ship's stores on the SS. Blue Grass State; and, on 6-24-54, a quantity of coffee was delivered to the SS. Hoosier State, as ship's stores, by Andrew's Coffee Co., Inc., New York, N. Y. Upon the ships' return from Mediterranean ports, the coffee was seized.

LABEL IN PART: (Tin) "Andrew's Superior Quality Coffee Carefully Selected, Blended and Packed By Andrew's Coffee Co., Inc."

LIBELED: 10-21-54, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained insect parts; 402 (b) (2)—a mixture of coffee and chickpeas had been substituted in part for coffee; and, 402 (b) (4)—chickpeas had been added to the product when shipped.

DISPOSITION: 11-16-54. Default—destruction.

22102. Coffee. (F. D. C. No. 35136. S. Nos. 49-973/4 L.)

INFORMATION FILED: 1-8-54, S. Dist. N. Y., against the Louvain Coffee Co., Inc., New York, N. Y., and Herbert Weingast, president of the corporation.

SHIPPED: 2-11-53, from New York to New Jersey.

*See also Nos. 22175, 22186.

LABEL IN PART: "Louvain Time Of Your Life Coffee Hotel Brand [or "Blend"]."

CHARGE: 402 (b) (2)—a mixture of coffee and a cereal product had been substituted for coffee; and, 403 (i) (2)—the label failed to bear the common or usual name of each ingredient of the article when shipped.

PLEA: Corporation—guilty; individual—not guilty.

DISPOSITION: The individual went to trial on 6-17-54, and, on 6-18-54, the jury returned a verdict of guilty. On 6-28-54, the corporation and the individual were each fined \$1,000.

22103. Soluble coffee. (F. D. C. No. 37612. S. No. 12-654 M.)

QUANTITY: 5,000 lbs. in 44 drums at Brooklyn, N. Y.

SHIPPED: 10-13-54, from Linden, N. J., by Tenco, Inc.

LIBELED: 1-20-55, E. Dist. N. Y.

CHARGE: 402 (a) (3)—contained wood, glass, sand, paint, metal, and plant material fragments when shipped.

DISPOSITION: 3-7-55. Default—destruction.

CANDY AND COCOA

CANDY

22104. Candy. (F. D. C. No. 32826. S. No. 38-439 L.)

INFORMATION FILED: 8-4-54, E. Dist. Pa., against American Caramel Co., a corporation, Lancaster, Pa.

SHIPPED: 2-19-52, from Pennsylvania to New York.

LABEL IN PART: (Carton) "Lancaster Caramels."

CHARGE: 402 (a) (3)—contained insect fragments and rodent hair fragments; and, 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-29-54. \$250 fine.

22105. Candy. (F. D. C. No. 32824. S. Nos. 8-384 L, 34-616 L, 38-804/5 L, 41-314 L.)

INFORMATION FILED: 8-4-54, E. Dist. Pa., against R. E. Rodda Candy Co., Lancaster, Pa.

SHIPPED: Between 2-19-52 and 3-12-52, from Pennsylvania to New York, Missouri, Virginia, and Delaware.

LABEL IN PART: (Pail) "Williams Superfine Brand Chocolate Cream Drops * * * Distributed by: C. G. Williams—Oswego, N. Y."; (box) "Rodda Pigeon Eggs," "Rodda Chocolate Covered M. M. Rabbits [or "Pigs"]"; (carton) "Rodda Jelly Eggs."

CHARGE: 402 (a) (3)—contained rodent hair fragments, insect fragments, and whole insects; and, 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-29-54—fine \$1,250; 11-16-54—fine reduced to \$1,000.