CANDY

21151. Adulteration of candy. U. S. v. 197 Cases, etc. (F. D. C. No. 36372. Sample Nos. 67381–L to 67386–L, incl.)

LIBEL FILED: February 10, 1954, Northern District of Texas.

ALLEGED SHIPMENT: On or about September 10, November 20, and December 4, 1953, by the Blumenthal Bros. Chocolate Co., from Philadelphia, Pa.

PRODUCT: Candy. 295 cases, each containing 12 cartons, 392 cases, each containing 24 cartons, and 97 cases, each containing 120 boxes, at Dallas, Tex.

LABEL, IN PART: (Carton) "B–B Buddy Bar 120 Count," "Milk Chocolate B–B Silver-Twins 240 Pieces," "B–B Milk Chocolate Blocks * * * Net Wt. 6 Oz.," "Malties B–B Chocolate Malted Milk Balls * * * Net Wt. 6 Oz.," and "Sno-Caps B–B Net Wt. 7 Oz."; (box) "B–B Milk Chocolate Covered Goobers Peanuts * * * Net Weight 1 Oz."

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

DISPOSITION: March 12, 1954. Default decree of condemnation and destruction.

21152. Misbranding of candy. U. S. v. 4 Cartons * * *. (F. D. C. No. 36394. Sample No. 52851–L.)

LIBEL FILED: February 18, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about January 22, 1954, by Guernsey Dell Confections, Inc., from Chicago, Ill.

PRODUCT: 4 cartons, each containing 48 packages, of candy at New York, N. Y.

LABEL, IN PART: (Package) "Guernsey Old English Toffee Almond Butter Crunch * * * Net Weight 4 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Weight 4 Oz." was inaccurate. (Examination showed that the article was short weight.)

DISPOSITION: March 9, 1954. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

CEREALS AND CEREAL PRODUCTS

CORNMEAL

21153. Adulteration of cornmeal. U. S. v. 24 Bags * * *. (F. D. C. No. 36327. Sample No. 79280–L.)

LIBEL FILED: February 19, 1954, Northern District of Ohio.

ALLEGED SHIPMENT: On or about December 4, 1953, from Mexico, Ind.

PRODUCT: 24 100-pound bags of cornmeal at Youngstown, Ohio.

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, insect parts, and insect webbing. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 19, 1954. Default decree of condemnation and destruction.