

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

**DISPOSITION:** November 4, 1948. A plea of guilty having been entered, a fine of \$200, plus costs, was imposed.

**13765. Adulteration of candy. U. S. v. Roy Z. Hershey (Pitt Chocolate Co.).**  
Plea of guilty to one count and plea of nolo contendere to remaining 5 counts. Fine of \$200 on each of six counts, plus costs. Total amount of fine subsequently reduced to \$600. (F. D. C. No. 25284. Sample Nos. 4931-K, 4975-K to 4977-K, incl., 8113-K, 8114-K.)

**INFORMATION FILED:** August 16, 1948, Western District of Pennsylvania, against Roy Z. Hershey, trading as the Pitt Chocolate Co., Wilkinsburg, Pa.

**ALLEGED SHIPMENT:** On or about March 22, 30, and 31, 1948, from the State of Pennsylvania into the States of Massachusetts and Connecticut.

**LABEL, IN PART:** "Pitt Cordial Chocolate Covered Stem Cherries" or "Bon-Bons."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, and whole insects; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 29, 1948. The defendant having entered a plea of guilty to count 4 of the information and a plea of nolo contendere to the other five counts, a fine of \$200, plus costs, was imposed on each of the six counts. On December 28, 1948, with the consent of the United States Attorney's Office, the total amount of the fine was reduced to \$600.

**13766. Adulteration of candy. U. S. v. Gurley Chocolate Co. Plea of guilty.**  
Fine of \$150 on each of counts 1 and 2; imposition of sentence suspended on count 3 and defendant placed on probation for 18 months. (F. D. C. No. 24241. Sample Nos. 51687-H, 52195-H, 52196-H.)

**INFORMATION FILED:** October 17, 1947, District of Minnesota, against the Gurley Chocolate Co., a partnership, Minneapolis, Minn.

**ALLEGED SHIPMENT:** Between the approximate dates of October 15 and December 3, 1946, from the State of Minnesota into the States of Iowa, North Dakota, and South Dakota.

**LABEL, IN PART:** "Gurley's Minneapolis Florentine Chocolates" and "Gurley's Hidden Treasures."

**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 fragments, insect eggs, rodent hair fragments, and cat hair fragments.

**DISPOSITION:** February 5, 1948. A plea of guilty having been entered, the court imposed a fine of \$150 on each of counts 1 and 2, suspended the imposition of sentence on count 3, and placed the defendant on probation for 18 months.

**13767. Adulteration of candy. U. S. v. Just Born, Inc. Plea of nolo contendere.**  
Fine, \$400. (F. D. C. No. 25300. Sample Nos. 3319-K, 3320-K, 8243-K, 9726-K.)

INFORMATION FILED: September 21, 1948, Eastern District of Pennsylvania, against Just Born, Inc., Bethlehem, Pa.

ALLEGED SHIPMENT: On or about November 20 and December 8, 1947, from the State of Pennsylvania into the States of Maryland, New Jersey, and New York.

LABEL, IN PART: "Deluxe Chocolate Bridge Mix" or "Italian Creams."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hair fragments and hairs resembling rodent hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 22, 1948. A plea of nolo contendere having been entered, the defendant was fined \$400.

**3768. Adulteration of candy. U. S. v. 10 Cartons \* \* \*. (F. D. C. No. 25088. Sample No. 9852-K.)**

LABEL FILED: July 13, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 16, 1948, by J. Schwartz & Sons, from Philadelphia, Pa.

PRODUCT: 10 cartons, each containing 100 packages, of candy at Long Island, N. Y.

LABEL, IN PART: "Victorian Mints Net Wt. 1 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. (The article was short-weight.)

DISPOSITION: October 15, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

**13769. Adulteration of candy. U. S. v. 30 Boxes \* \* \*. (F. D. C. No. 25480. Sample No. 371-K.)**

LABEL FILED: On or about August 31, 1948, Northern District of Georgia.

ALLEGED SHIPMENT: On or about April 2, 1948, from Chicago, Ill.

PRODUCT: 30 boxes each containing 24 1 $\frac{3}{8}$ -ounce candy bars at Atlanta, Ga.

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. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 12, 1948. Default decree of condemnation and destruction.

**13770. Adulteration and misbranding of Turkish Paste. U. S. v. 150 Packages, etc. (F. D. C. No. 24750. Sample Nos. 10504-K, 10505-K.)**

LABEL FILED: April 28, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about March 27, 1948, by the Smyrna Lowell Confectionery Co., from Lowell, Mass.

PRODUCT: Turkish Paste. 150 1-pound packages and 91 1 $\frac{1}{2}$ -pound packages at New York, N. Y.

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 hair