30436. Adulteration of candy. U. S. v. 13 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. No. 43721. Sample No. 37993.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On October 20, 1938, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 boxes of candy at Hattiesburg, Miss.; alleging that the article had been shipped on or about February 12, 1938, from Philadelphia, Pa., by D. Goldenberg, Inc.; and charging adulteration in violation of the Food and Drugs Act. The candy was labeled in part: "Goldenbergs Romeos 1¢."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On April 11, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30437. Adulteration of candy. U. S. v. 30 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. No. 43696. Sample No. 37990–D.)

This product at the time of examination was insect-infested.

On October 20, 1938, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 boxes of candy at Hattiesburg, Miss.; alleging that the article had been shipped in interstate commerce on or about October 9, 1937, by Pangburn Co. from Fort Worth, Tex.; and charging adulteration in violation of the Food and Drugs Act. The candy was labeled in part: "Pangburn's Famous Pecan Krunch."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On April 11, 1939, no claimant having appeared and the court having found that the product was not adulterated at the time of shipment but had become insect-infested thereafter and through no fault of the original shipper, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30438. Adulteration of prunes. U. S. v. Rosenberg Bros. & Co. Plea of nolo contendere. Fine, $200. (F. & D. No. 42525. Sample Nos. 2683–D, 7915–D.)

This product was in large part worm-infested.

On June 28, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rosenberg Bros. & Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 19 and February 14, 1938, from the State of California into the State of New York of quantities of dried prunes that were adulterated. The article was labeled in part: "For Manufacturing Purposes Only."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance, namely, worm-infested prunes.

On February 15, 1939, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of $200.

M. L. WILSON, *Acting Secretary of Agriculture.*

30439. Adulteration of fruit compote. U. S. v. Rosenberg Bros. & Co. Plea of nolo contendere. Fine, $100. (F. & D. No. 42644. Sample No. 36290–D.)

This product consisted of a mixture of fruits, and the pears in the mixture were in part insect-infested and moldy.

On January 4, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rosenberg Bros. & Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act, on or about August 4, 1938, from the State of California into the State of Massachusetts of a quantity of fruit compote that was adulterated. The article was labeled in part: "Iris Brand California Choice Fruit Compote."