

CHOCOLATE, SUGARS, AND RELATED PRODUCTS*

CANDY

5828. Adulteration of candy. U. S. v. 10 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 11286. Sample No. 50225-F.)

LABEL FILED: December 9, 1943, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 9, 1943, by the Runkle Company, Kenton, Ohio.

PRODUCT: 10 cases, each containing 30 pounds, of candy at Pittsburgh, Pa.

LABEL, IN PART: "Autumn Leaves."

VIOLATIONS CHARGED: 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, fragments resembling rodent hairs, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: January 11, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5829. Adulteration of prepared fruit and candy. U. S. v. 155 Cartons of Prepared Fruit and 6 Boxes of Candy. Default decree of condemnation. Samples ordered delivered to the shipper and the Food and Drug Administration; remainder ordered destroyed. (F. D. C. No. 11569. Sample Nos. 50219-F, 50221-F.)

LABEL FILED: January 4, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 10, 1943, by E. C. Rich, Inc., New York, N. Y.

PRODUCT: 155 cartons, each containing 1 1-pound tray, of prepared fruit and 6 5-pound boxes of candy at Pittsburgh, Pa.

LABEL, IN PART: (Sticker on carton and tray) "Assorted Fruits * * * Prepared with sugar and corn syrup," (candy box) "Rich's Turkish Delight."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of one or more of the following types of filth: Rodent hair fragments, insect fragments, beetles, and wood splinters; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: January 19, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed, with the exception of samples of the fruit and candy, which were ordered delivered to the shipper and the Food and Drug Administration.

5830. Adulteration of confection pack. U. S. v. 282 Cartons, 366 Cartons, and 176 Cartons of Confections. Consent decree of condemnation. Products ordered released under bond to be disposed of in compliance with the law. (F. D. C. Nos. 10784, 11164. Sample Nos. 29654-F, 29657-F, 29659-F, 29660-F, 29911-F.)

LIBELS FILED: September 18 and November 24, 1943, Northern District of California.

ALLEGED SHIPMENT: On or about August 17, 1943, by the Bettman Nut Co., New York, N. Y.

PRODUCT: 282 cartons of cookies, candies, and peanuts; 366 cartons of nuts and candies; and 176 cartons of cookies, candies, and nuts, at San Francisco, Calif.

LABEL, IN PART: "Bettman Nut Co. New York, N. Y. Manufacturers of Salted and Sugar Toasted Nuts Packers of Food Products," "1½ Pound Net Nuts and Candies No. 524 Round Basket," or "1¼ Lb. Pie-Seroles Nuts, Candies & Cookies."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of moths, beetles, larvae, webbing, and insect excreta.

DISPOSITION: December 14, 1943. Claimant, C. H. Bettman, doing business as Bettman Nut Co., entered a consent decree of condemnation. The product was ordered released under bond to be disposed of in compliance with the law. The portion unfit for human consumption was denatured and sold as poultry feed.

*See also Nos. 5918-5920, 5998, 5999.