

**ALLEGED SHIPMENT:** On or about September 18, 1945, by the Big D Candy Co., from Dallas, Tex.

**PRODUCT:** 90 boxes, each containing 16 1-ounce candy bars, at Darlington, S. C.

**LABEL, IN PART:** "Texana Fudge Bar."

**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 larvae, cast skins, and insect excreta.

**DISPOSITION:** February 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9269. Adulteration of candy. U. S. v. 36 Cartons and 30 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 18678, 18679. Sample Nos. 13788-H, 13789-H.)**

**LIBELS FILED:** December 19, 1945, Northern District of West Virginia.

**ALLEGED SHIPMENT:** On or about November 1 and 3, 1945, by the Peters Icing Flower Co., from Canton, Ohio.

**PRODUCT:** 36 cartons, each containing 6 1-pound boxes, of candy at Weirton, W. Va., and 30 2-pound boxes of the same product at Wellsburg, W. Va.

**LABEL, IN PART:** "Medallion Assorted Chocolate Package," or "Medallion Package Fancy Assorted Chocolates."

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

**DISPOSITION:** January 21, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**9270. Adulteration of pecan candy. U. S. v. 71 Boxes of Pecan Roll. Default decree of condemnation and destruction. (F. D. C. No. 18951. Sample No. 1054-H.)**

**LIBEL FILED:** January 14, 1946, Western District of South Carolina.

**ALLEGED SHIPMENT:** On or about September 22, 1945, by Reibs, from Chicago, Ill.

**PRODUCT:** 71 boxes, each containing 16 1¼-ounce bars, of pecan roll at Greenville, S. C.

**LABEL, IN PART:** "Verifine Pecan Roll \* \* \* Made by Jay-Dee Candy Co. Dallas, Texas."

**NATURE OF CHARGE:** Adulteration, Section 402 (d), the article was confectionery and it contained a nonnutritive substance, pecan shell fragments; and, Section 402 (b) (2), a mixture of pecan candy and pecan shell fragments had been substituted for pecan candy.

**DISPOSITION:** February 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9271. Adulteration of paraffin-wax soda cones and paraffin-wax filled bottles (confections). U. S. v. 20 Boxes of Paraffin-Wax Soda Cones and 29 Boxes of Paraffin-Wax Filled Bottles. Default decree of destruction. (F. D. C. No. 18543. Sample Nos. 18796-H, 18797-H.)**

**LIBEL FILED:** December 6, 1945, District of Minnesota.

**ALLEGED SHIPMENT:** On or about November 7, 1945, by the Favorite Confection Co., from Eau Claire, Wis.

**PRODUCT:** 49 boxes, each containing 80 paraffin-wax soda cones or paraffin-wax filled bottles, at St. Paul, Minn.

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

**DISPOSITION:** January 28, 1946. No claimant having appeared, judgment was entered ordering the product destroyed.

**9272. Adulteration and misbranding of candy. U. S. v. 75 Cases of Almond Mibs. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 18716. Sample No. 14258-H.)**

**LIBEL FILED:** January 7, 1946, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about November 3, 1945, by C. V. Fowler, from Davenport, Iowa.

**PRODUCT:** 75 30-pound cases of candy at Newport, Ky. The product contained no almonds.

**LABEL, IN PART:** "Almond Mibs \* \* \* Contains:—Sugar, Corn Syrup, Peanut Butter, Malted Kernels, Salt, Oil of Almonds."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, almonds, had been omitted.

Misbranding, Section 403 (a), the name "Almond Mibs" was false and misleading as applied to a product that contained no almonds; and, Section 403 (1) (2), the label failed to bear the common or usual name of each ingredient, since "malted kernels" is not the common or usual name of any ingredient.

**DISPOSITION:** February 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

**9273. Adulteration and misbranding of candy. U. S. v. 24 Cases of Candy. Default decree of forfeiture and destruction. (F. D. C. No. 18839. Sample No. 25303-H.)**

**LIBEL FILED:** On or about January 21, 1946, Western District of Texas.

**ALLEGED SHIPMENT:** On or about September 24, 1945, by the Western Grocery Co., from St. Joseph, Mo.

**PRODUCT:** 24 cases, each containing 24 tins, of candy at Waco, Tex. Examination showed that the product was moldy and short-weight.

**LABEL, IN PART:** "Sergeant Jane Texas Pecan Roll Contents Net Weight 8 Ounces."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** March 19, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

**9274. Misbranding of nougat candy. U. S. v. 360 Cartons of Nougat Candy. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 18701. Sample No. 11677-H.)**

**LIBEL FILED:** December 26, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 25, 1945, by C. A. Ferrara, Inc., from New York, N. Y.

**PRODUCT:** 360 10-ounce cartons of nougat candy at Boston, Mass. The product was short-weight.

**LABEL, IN PART:** "Torrone Ferrara Nougat Candy Net Weight 10 Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since the candy occupied an average of only 56 percent of the box; and, Section 403 (e) (2), the label of the article failed to bear an accurate statement of the quantity of the contents.

**DISPOSITION:** March 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**CHOCOLATE AND COCOA PRODUCTS**

**9275. Adulteration of chocolate. U. S. v. 125 Bales of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18767. Sample No. 9816-H.)**

**LIBEL FILED:** December 29, 1945, Western District of New York.

**ALLEGED SHIPMENT:** On or about October 14, 1944, by the Curtiss Candy Co., from Chicago, Ill.

**PRODUCT:** 125 bales, each containing 20 10-pound slabs, of chocolate at Buffalo, N. Y.

**LABEL, IN PART:** "Special Liquor Chocolate."

**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 larvae, insect fragments, and rodent hair fragments.

**DISPOSITION:** April 22, 1946. The Happiness Candy Stores, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered