

LABEL, IN PART: "Dwarfies Wheatmix * * * The Added Wheat Germ," or "Dwarfies Toasted Wheat Germ."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent excreta fragments, larvae, and larva fragments.

DISPOSITION: August 24, 1945. The Dwarfies Corporation having appeared as claimant, judgment of condemnation was entered and the products were ordered released under bond for conversion into stock feed under the supervision of the Federal Security Agency.

CHOCOLATE AND RELATED PRODUCTS

CANDY

9679. Adulteration of candy. U. S. v. Close and Co. Plea of nolo contendere. Fine, \$1,000 and costs. (F. D. C. No. 16515. Sample Nos. 18401-H, 18402-H.)

INFORMATION FILED: October 4, 1945, Northern District of Illinois, against Close and Co., a partnership, Chicago, Ill.

ALLEGED SHIPMENT: On or about February 21, 1945, from the State of Illinois into the State of South Dakota.

LABEL, IN PART: "Drop Kicks Assorted Flavors," or "Root Beer Barrels Candy With Flavor."

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

DISPOSITION: November 27, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$500 on each count, a total of \$1,000 plus costs.

9680. Adulteration of candy. U. S. v. Mello-Sweets, Inc. Plea of guilty. Fine, \$200. (F. D. C. No. 16564. Sample Nos. 74691-F, 83365-F, 25722-H, 27310-H, 27520-H, 28229-H, 28230-H, 28317-H.)

INFORMATION FILED: September 27, 1945, District of Oregon, against Mello-Sweets, Inc., a corporation, Portland, Oreg.

ALLEGED SHIPMENT: Between the approximate dates of November 20, 1944, and January 29, 1945, from the State of Oregon into the States of California, Wisconsin, and Washington.

LABEL, IN PART: "Nut Log," or "Valentine Candies."

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

DISPOSITION: November 27, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200.

9681. Adulteration of candy. U. S. v. 7,695 Cartons of Candy Bars. Default decree of condemnation and destruction. (F. D. C. No. 16775. Sample No. 29691-H.)

LABEL FILED: July 3, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about April 22, 1945, by the Vendors Consolidating Co., Inc., from Jersey City, N. J.

PRODUCT: 7,695 cartons each containing 24 candy bars at Oakland, Calif. Examination of this product showed that it was fermenting.

LABEL, IN PART: "Chocolate Covered Peanut Bar * * * Made by Leading Candy Co. New York."

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

DISPOSITION: August 29, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9682. Adulteration of candy. U. S. v. 135 Cases and 250 Cases of Candy (and 2 other seizure actions against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 17151, 17245, 17246. Sample Nos. 20794-H, 21353-H, 21746-H, 21747-H.)

LIBELS FILED: On or about August 27 and September 11, 1945, District of Kansas and Western District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of July 13 and August 1, 1945, by the Eason Brokerage Co., from Oklahoma City, Okla.

PRODUCT: 32 cartons, each containing 22 pounds, and 300 cases, each containing 40 pounds, of candy at Wichita, Kans.; and 135 cases, each containing 40 pounds, and 250 cases, each containing 21 pounds, of the same product at Kansas City, Mo.

LABEL, IN PART: (Portion) "Chocolate Pecan Fudge," or "Chocolate Raisin Fudge."

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 larvae, webbing, insects, insect fragments, and beetles.

DISPOSITION: October 12 and 23, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9683. Adulteration of candy. U. S. v. 362 Boxes of Candy. Default decree of destruction. (F. D. C. No. 16945. Sample Nos. 20765-H, 20766-H.)

LIBEL FILED: On or about August 6, 1945, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 27, 1945, by the Findlay Candy Co., from Oklahoma City, Okla.

PRODUCT: 362 boxes of candy at Kansas City, Mo.

LABEL, IN PART: "Williams Candy Made By Walter Williams Candy Company Oklahoma City, Oklahoma Almond (Flavored) Bitz [or "Magnolia Jellies"]."

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

DISPOSITION: October 11, 1945. No claimant having appeared, judgment was entered ordering the product destroyed.

9684. Adulteration of candy. U. S. v. 88 Cases of Candy (and 2 other seizure actions against candy). Default decrees of condemnation. One lot ordered delivered to a Federal institution, for use as animal feed; remaining lots ordered destroyed. (F. D. C. Nos. 16946, 16980, 17016. Sample Nos. 10547-H, 12818-H, 12819-H, 14698-H.)

LIBELS FILED: Between the approximate dates of July 31 and August 6, 1945, Western District of Pennsylvania, Southern District of Indiana, and Eastern District of Michigan.

ALLEGED SHIPMENT: Between the approximate dates of July 2 and 18, 1945, by the Mackenzie Candy Co., Cleveland, Ohio.

PRODUCT: Candy. 88 cases at Detroit, Mich.; 54 cartons at Indianapolis, Ind.; and 28 boxes at Aliquippa, Pa. Examination showed that the Detroit and Aliquippa lots contained rodent hair fragments, and that the Indianapolis lot contained rodent hairs and insect fragments.

LABEL, IN PART: "Mackenzie's Old Hickory Fudge," or "Mackenzie's Nut-Mac Chocolate Covered Nut Fudge."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 21 and 28, 1945. No claimant having appeared, judgments of condemnation were entered and the Detroit lot was ordered delivered to a Federal institution, for use as animal feed, and the remaining lots were ordered destroyed.