

LABEL, IN PART: "Verbelrose 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 insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 8, 15, and 23, 1948. Default decrees of condemnation and destruction.

13989. Misbranding of candy. U. S. v. Hy-Lan Candy Co., a corporation. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 24536. Sample Nos. 501-K, 503-K, 907-K, 26838-K.)

INFORMATION FILED: April 23, 1948, Northern District of Georgia, against the Hy-Lan Candy Co., a corporation, Atlanta, Ga.

ALLEGED SHIPMENT: On or about September 11 and October 6 and 7, 1947, from the State of Georgia into the States of Kentucky and Tennessee.

LABEL, IN PART: "Cream Bar [or "Sugar Sticks" or "Peanut Bar"] * * * Average Weight 2 Ozs. Hy-Lan Candy Co. Atlanta, Ga."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents since the candy was labeled "Average Weight 2 Ozs," whereas the average weight of the candy was less than 2 ounces.

DISPOSITION: February 2, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$100 on each of the 4 counts.

13990. Adulteration of chocolate products. U. S. v. Hooton Chocolate Co., a corporation, and Floyd A. Lewis. Plea of guilty for the corporation; plea of nolo contendere by Floyd A. Lewis. Corporation fined \$1,200; Floyd A. Lewis placed on probation for one day, with imposition of sentence suspended. (F. D. C. No. 22054. Sample Nos. 8707-H, 64264-H, 64968-H, 64969-H, 64972-H, 64974-H.)

INFORMATION FILED: April 23, 1947, District of New Jersey, against the Hooton Chocolate Co., Newark, N. J., and Floyd A. Lewis, vice president.

ALLEGED SHIPMENT: On or about February 6 and November 13, 14, 18, and 19, 1946, from the State of New Jersey into the State of New York.

LABEL, IN PART: "Orinoco Choc. Flavor," "Hooton's Milk Jumbo Blocks," or "Hooton's Milk Peanut Jumbo Blocks."

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

DISPOSITION: December 10, 1948. A plea of guilty having been entered on behalf of the corporation, the court imposed a fine of \$200 on each of the six counts, a total fine of \$1,200. A plea of nolo contendere having been entered by Floyd A. Lewis, the court placed him on probation for one day and suspended imposition of sentence.

13991. Adulteration of chocolate. U. S. v. 49 Bags * * *. (F. D. C. No. 25253. Sample No. 12714-K.)

LABEL FILED: August 10, 1948, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 11, 1948, from Dayton, Ohio.

PRODUCT: 49 bags, each containing 10 20-pound slabs, of chocolate at Wilkes-Barre, Pa.

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

DISPOSITION: December 13, 1948. The Carr-Consolidated Biscuit Co., Wilkes-Barre, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was reconditioned by scraping off the exterior portions and destroying the scrapings.

SIRUP AND SUGAR

13992. Adulteration and misbranding of sirup. U. S. v. 100 Cases * * *.
(F. D. C. No. 22898. Sample No. 90870-H.)

LIBEL FILED: April 11, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about March 12, 1947, by the Econ Trading Co., from Yonkers, N. Y.

PRODUCT: 100 cases, each containing 6 cans, of sirup at Perth Amboy, N. J.

LABEL, IN PART: "Contents 8 Lbs. 8 Oz. or 3 Quarts Beauregard House Pure Cane Sugar Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), refiners sirup had been substituted in whole or in part for pure cane sugar sirup, which the product was represented to be.

Misbranding, Section 403 (a), the designation "Pure Cane Sugar Syrup" was false and misleading.

DISPOSITION: December 27, 1948. Default decree of condemnation. The product was ordered delivered to charitable institutions conditioned that the labels be destroyed and that the product be examined by the Food and Drug Administration to determine if it were fit for human consumption. Examination having shown the fitness of the product, it was distributed as ordered.

13993. Adulteration of sugar. U. S. v. 411 Bags * * *. (F. D. C. No. 25179. Sample No. 25963-K.)

LIBEL FILED: July 21, 1948, District of Minnesota.

ALLEGED SHIPMENT: On or about February 29, 1948, by the Cora-Texas Mfg. Co., from White Castle, La.

PRODUCT: 411 100-pound bags of sugar at Newport, Minn.

LABEL, IN PART: "Caneland Standard Fine Granulated Pure Cane Sugar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of plant matter, charred organic material, sand, rust, lime, cloth fibers, and metal particles.

DISPOSITION: September 8, 1948. The Cora-Texas Mfg. Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for refining, under the supervision of the Federal Security Agency.

13994. Adulteration of sugar. U. S. v. 257 Bags * * *. (F. D. C. No. 25427. Sample No. 40531-K.)

LIBEL FILED: September 8, 1948, District of Oregon.