

The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 22, 1948. Default decree of condemnation and destruction.

14157. Adulteration of sausage binder. U. S. v. 2 Barrels * * *. (F. D. C. No. 25882. Sample No. 44177-K.)

LIBEL FILED: October 28, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 5, 1948, from Chicago, Ill.

PRODUCT: 2 barrels, each containing 300 pounds, of sausage binder at Cincinnati, Ohio.

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 insects and insect fragments. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 5, 1949. Default decree of condemnation and destruction.

CHOCOLATE AND RELATED PRODUCTS

CONFECTIONERY AND CHOCOLATE PRODUCTS

14158. Misbranding of candy. U. S. v. Associated Foods, Inc., Morris Wizelman, and Joseph Spielvogel. Pleas of nolo contendere. Corporation fined \$175; Morris Wizelman, \$50; and Joseph Spielvogel, \$25. (F. D. C. No. 24566. Sample Nos. 82638-H, 36424-K, 36425-K.)

INFORMATION FILED: June 3, 1948, Eastern District of Pennsylvania, against Associated Foods, Inc., Philadelphia, Pa., and Morris Wizelman, president, and Joseph Spielvogel, secretary-treasurer.

ALLEGED SHIPMENT: On or about December 16, 1946, and September 19, 1947, from the State of Pennsylvania into the States of Oregon and Washington.

LABEL, IN PART: "Majesty Creamy Mints."

NATURE OF CHARGE: Misbranding, Section 403 (d), the containers of the product were so made, formed, and filled as to be misleading since the boxes in one of the shipments had false bottoms which occupied approximately 35 percent of the space in the boxes and the candy in the other 2 shipments occupied not more than 56 percent and 64 percent, respectively, of the space in the boxes.

DISPOSITION: February 16, 1949. Pleas of nolo contendere having been entered, the corporation was fined \$75; Morris Wizelman, \$50; and Joseph Spielvogel, \$35.

14159. Adulteration and misbranding of candy. U. S. v. 55 Cases * * *. (F. D. C. No. 26189. Sample Nos. 23904-K, 23905-K.)

LIBEL FILED: November 29, 1948, Northern District of Alabama.

ALLEGED SHIPMENT: On or about October 29 and November 2, 1948, by the Capitol Candy Co., from Jackson, Miss.

PRODUCT: 55 cases, each containing 24 packages, of candy at York, Ala.

LABEL, IN PART: "Capitol Candies [or "Capitol Stick"] Net Wt. 1¼ Oz."

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

Misbranding, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quality of the contents since the packages contained less than declared.

DISPOSITION: December 30, 1948. Default decree of condemnation and destruction.

14160. Adulteration of candy. U. S. v. 15 Cases * * *. (F. D. C. No. 25891. Sample No. 23885-K.)

LIBEL FILED: November 1, 1948, Northern District of Alabama.

ALLEGED SHIPMENT: On or about July 8, 1948, by the Hot Springs Candy Co., from Hot Springs, Ark.

PRODUCT: 15 cases, each containing 16 boxes, of candy at Birmingham, Ala.

LABEL, IN PART: "120 Ct. Penny Marshmallow Banana."

NATURE OF CHARGE: Adulteration, Section 402 (d), the article was confectionery and it contained nonnutritive substances, wood splinters and brush bristles.

DISPOSITION: December 3, 1948. Default decree of condemnation and destruction.

14161. Adulteration of candy. U. S. v. 24 Cartons * * *. (F. D. C. No. 25849. Sample No. 2745-K.)

LIBEL FILED: October 13, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about May 28 and June 28, 1948, from McKeesport, Pa.

PRODUCT: Candy. 24 cartons, each containing 12 4½-ounce bars, at Washington, D. C.

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

DISPOSITION: December 28, 1948. Default decree of condemnation. The product was ordered used for animal feed.

14162. Adulteration of peanut brittle. U. S. v. 6 Cartons * * *. (F. D. C. No. 25874. Sample No. 32562-K.)

LIBEL FILED: November 4, 1948, District of Oregon.

ALLEGED SHIPMENT: On or about October 8, 1948, by the Chiodo Candy Co., from Oakland, Calif.

PRODUCT: 6 25-pound cartons of peanut brittle at Salem, Oreg.

LABEL, IN PART: "Chiodo Peanut Brittle."

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 and larvae parts.

DISPOSITION: January 11, 1949. Default decree of condemnation and destruction.