

**14823. Adulteration of candy.** U. S. v. 199 Cases \* \* \*. (F. D. C. No. 26565. Sample No. 46985-K.)

**LIBEL FILED:** February 25, 1949, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about January 17, 1949, by the Zion Candy Industry, Division of Zion Industries, Inc., from Zion, Ill.

**PRODUCT:** 199 cases, each containing 10 boxes, of candy at Youngstown, Ohio.

**LABEL, IN PART:** "120 Ct. Zion Chocolate Marshmallow Eggs."

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

**DISPOSITION:** July 29, 1949. Default decree of condemnation and destruction.

**14824. Misbranding of candy.** U. S. v. 192 Packages, etc. (F. D. C. No. 26659. Sample Nos. 5943-K, 5944-K, 62201-K, 62202-K.)

**LIBEL FILED:** March 16, 1949, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 14, 1949, by the Cumberland Valley Products Corp., from Philadelphia, Pa.

**PRODUCT:** 276 packages of candy at Merrimac, Mass.

**LABEL, IN PART:** "C. V. Delicious Home Style Fudge Net Wt. 1 Lb."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The product was short-weight.

**DISPOSITION:** June 22, 1949. Default decree of condemnation. The product was ordered delivered to a charitable institution.

## DAIRY PRODUCTS

### BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 14825 to 14827, and that was below the legal standard for milk fat content, Nos. 14828 to 14831.

**14825. Adulteration of butter.** U. S. v. The Merchants Creamery Co., Inc., and Edwin A. Bischoff. Pleas of guilty. Joint fine of \$3,000. (F. D. C. No. 26297. Sample Nos. 19169-K to 19171-K, incl., 19493-K, 39860-K, 44420-K.)

**INFORMATION FILED:** December 2, 1948, Southern District of Ohio, against the Merchants Creamery Co., Inc., Cincinnati, Ohio, and Edwin A. Bischoff, president.

**ALLEGED SHIPMENT:** On or about July 26 and 28 and August 5 and 17, 1948, from the State of Ohio into the States of Pennsylvania, Kentucky, and Indiana.

**LABEL, IN PART:** "Rose [or "Clover," "Forest Brook," or "Dairy"] Brand Creamery Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted 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