

CANDY AND SIRUP

CANDY

19251. Adulteration of candy. U. S. v. 99 Cartons * * *. (F. D. C. No. 33188. Sample No. 37254-L.)

LIBEL FILED: April 23, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 24, 1952, by H. K. Hart Confections, Inc., from Union City, N. J.

PRODUCT: 99 cartons, each containing 120 1¼-ounce pieces, of candy at Brooklyn, N. Y., in the possession of Theatre Concessions, Inc.

LABEL, IN PART: "H. K. Hart Chocolate Flavored Candy."

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

DISPOSITION: August 7, 1952. Default decree of condemnation and destruction.

19252. Adulteration of dietetic candy. U. S. v. 75 Cartons * * *. (F. D. C. No. 33220. Sample Nos. 36812-L, 36813-L.)

LIBEL FILED: April 29, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about February 7 and March 17, 1952, by H. K. Hart Confections, Inc., from Union City, N. J.

PRODUCT: 75 cartons, each containing 27 pounds, and 45 cartons, each containing 25 pounds, of dietetic candy at Brooklyn, N. Y.

LABEL, IN PART: "Dietetic Gum Drops [or "Hard Candies"]."

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

DISPOSITION: August 7, 1952. Default decree of condemnation and destruction.

SIRUP*

19253. Misbranding of maple-flavored sirup. U. S. v. 9 Cases * * *. (F. D. C. No. 32883. Sample No. 41862-L.)

LIBEL FILED: March 17, 1952, District of Hawaii.

ALLEGED SHIPMENT: On or about February 26, 1952, by Lady's Choice Foods, from San Francisco, Calif.

PRODUCT: 9 cases, each containing 6 cans, of maple-flavored sirup at Honolulu, T. H.

LABEL, IN PART: "Net Contents 3 Qts. 14 Oz. Lady's Choice Pure Maple Flavored Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Pure Maple Flavored Syrup" was false and misleading since the product contained no detectable amount of maple flavor.

*See also No. 19300.

DISPOSITION: September 18, 1952. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

CEREALS AND CEREAL PRODUCTS

CORNMEAL

19254. Misbranding of enriched cornmeal. U. S. v. Scott County Milling Co.
Plea of nolo contendere. Fine, \$100. (F. D. C. No. 32760. Sample No. 32150-L.)

INFORMATION FILED: September 24, 1952, Eastern District of Missouri, against the Scott County Milling Co., a corporation, Sikeston, Mo.

ALLEGED SHIPMENT: On or about June 2, 1951, from the State of Missouri into the State of Arkansas.

LABEL, IN PART: "Enriched 8 ounces of this product contain the following percentages of the adult minimum daily requirements: Vitamin B₁ 100%, Riboflavin 30%, Iron 65%, and 8 Mgs. of Niacin 25 Lbs. Bolted White Cornmeal The BMM Co."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched cornmeal since it contained per pound less than 2 milligrams of vitamin B₁, less than 1.2 milligrams of riboflavin, and less than 16 milligrams of niacin; and, Section 403 (a), the label statement "Enriched 8 ounces of this product contain the following percentages of the adult minimum daily requirements: Vitamin B₁ 100%, Riboflavin 30%, * * * and 8 Mgs. of Niacin" was false and misleading.

DISPOSITION: November 17, 1952. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$100.

FLOUR

19255. Adulteration of flour. U. S. v. 160 Bags, etc. (F. D. C. No. 33150. Sample Nos. 48480-L, 48481-L.)

LIBEL FILED: May 29, 1952, Western District of Wisconsin.

ALLEGED SHIPMENT: Between October 1, 1951, and March 31, 1952, from New Prague and Minneapolis, Minn.

PRODUCT: 1,120 50-pound bags of flour at Marshfield, Wis., in the possession of the Hub City Jobbing Co.

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 urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 5, 1952. The owner of the product having admitted that the product was subject to condemnation and having alleged that some of the product was not contaminated, a decree of condemnation was entered providing for the release of the product under bond for segregation of the good portion from the bad. Approximately 79 bags of the flour were found unfit and were denatured.