

CANDY

20851. Adulteration of candy. U. S. v. Akron Candy Co. and Leonard Kirtz. Pleas of nolo contendere. Fine of \$100, plus costs, against each defendant; fine and costs against individual defendant suspended. (F. D. C. No. 35118. Samples Nos. 7987-L, 41728-L, 54370-L.)

INFORMATION FILED: On or about July 28, 1953, Northern District of Ohio, against the Akron Candy Co., a corporation, Bellevue, Ohio, and Leonard Kirtz, vice president and general manager of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of November 17 and 21, 1952, from the State of Ohio into the States of Pennsylvania and Indiana.

LABEL, IN PART: "Lady Margaret * * * Caramel Nut Fudge Roll" and "It's Dum Dum Bulk Fudge."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect parts, mites, a fly, and rodent hair fragments; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 23, 1953. The defendants having entered pleas of nolo contendere, the court imposed a fine of \$100, plus costs, against each defendant, but suspended the fine and costs imposed against the individual defendant.

20852. Adulteration of candy. U. S. v. 11 Cases, etc. (F. D. C. No. 35699. Sample Nos. 53272-L to 53279-L, incl.)

LIBEL FILED: October 8, 1953, Western District of Arkansas.

ALLEGED SHIPMENT: Between January 1 and September 22, 1953, from Muskogee, Okla.

PRODUCT: 11 cases, each containing 12 16-ounce packages, of peanut squares; 11 cases, each containing 12 12-ounce packages, of coconut haystacks; 5 cases, each containing 6 5-pound boxes, of coconut bonbons; 4 cases, each containing 6 5-pound boxes, and 26 cases, each containing 12 14-ounce boxes, of coconut squares; 50 cases, each containing 12 16-ounce boxes, of orange slices; 33 cases, each containing 12 16-ounce boxes, of assorted creams; and 14 15-pound cases of gum drops, at Fort Smith, Ark.

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

DISPOSITION: November 19, 1953. Default decree of condemnation and destruction.

20853. Adulteration of candy bars and flour. U. S. v. 59 Cartons, etc. (F. D. C. No. 35517. Sample Nos. 34550-L, 53108-L to 53110-L, incl.)

LIBEL FILED: September 29, 1953, Eastern District of Arkansas.

ALLEGED SHIPMENT: Between May and August, 1953, from Memphis, Tenn., and Greenville, Tex.

PRODUCT: 59 cartons of peanut candy bars and 52 cartons of chocolate candy bars, each carton containing 24 bars, and 27 50-pound bags of flour at Batesville, Ark.