

CANDY

21701. Adulteration of candy. U. S. v. D. L. Clark Co. and Duane M. Smith. Pleas of nolo contendere. Fine of \$3,000 against company and \$300 against individual. (F. D. C. No. 36637. Sample Nos. 58155-L, 81783-L, 83696-L, 83697-L.)

INFORMATION FILED: August 9, 1954, Northern District of Illinois, against the D. L. Clark Co., a corporation, Evanston, Ill., and Duane M. Smith, manager of the corporation's Evanston plant.

ALLEGED SHIPMENT: Between the approximate dates of February 11 and March 3, 1954, from the State of Illinois into the States of Indiana, Nebraska, and Minnesota.

LABEL, IN PART: (Package) "Net Weight 1¼ Oz. CLARK Clark—A Great Name for Quality Candy."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 17, 1954. The defendants having entered pleas of nolo contendere, the court fined the corporation \$3,000 and the individual \$300.

21702. Adulteration of candy. U. S. v. Mrs. J. G. McDonald Chocolate Co. and B. Wellington McDonald. Pleas of guilty. Fine of \$2,000 against each defendant; fine against individual suspended. (F. D. C. No. 36601. Sample Nos. 74506-L, 85644-L, 85647-L, 85650-L.)

INFORMATION FILED: September 1, 1954, District of Utah, against the Mrs. J. G. McDonald Chocolate Co., a corporation, Salt Lake City, Utah, and B. Wellington McDonald, secretary and treasurer of the corporation.

ALLEGED SHIPMENT: On or about January 20, 21, and 27, 1954, from the State of Utah into the States of Colorado, Wyoming, and California.

LABEL, IN PART: (Box) "Mrs. J. G. McDonald's Chocolates Personal Selection Net Weight 1 Pound," "Mrs. J. G. McDonald's Assorted Hand Made Chocolates Net Weight One Pound," "Mrs. J. G. McDonald's Chocolates Net Weight Eight Ounces," and "Mrs. J. G. McDonald's Gift of Gold Chocolates One Pound Net."

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

DISPOSITION: December 17, 1954. The defendants having entered pleas of guilty, the court fined each defendant \$2,000. Thereafter, a motion for reduction of sentence was filed on behalf of the defendants and was heard by the court on February 4, 1955. On March 7, 1955, an order was entered suspending the fine which had been imposed against the individual.