

**LABELED:** 9-11-58, S. Dist. N.Y.

**CHARGE:** 402(a)(2)—contained an added poisonous or deleterious substance, a fluorine compound, which is unsafe within the meaning of 406(a), since it is not required in the production of cocoa press cake and can be avoided by good manufacturing practices; and 402(a)(4)—held under insanitary conditions in proximity to sodium silico fluoride.

**DISPOSITION:** 10-16-58. Default—destruction.

### CONFECTIONERY

**5188. Candy.** (F.D.C. No. 41200. S. Nos. 23-252/3 M, 76-316/7 M.)

**INFORMATION FILED:** 6-18-58, Dist. Mass., against Liberty Chocolate Co., Inc., Boston, Mass., and Angelo Cataldo, Jr., president and treasurer.

**SHIPPED:** 11-7-57 and 11-8-57, from Massachusetts to Vermont and Rhode Island.

**LABEL IN PART:** (Pkg.) "120 Count 1¢ Each Peppermint Pattie Frappé" or "120 Count 1¢ Each Chocolate Marshmallow Twists" or "120 Count 1¢ Each Maple Flavored Frappé."

**CHARGE:** 402(a)(3)—contained rodent hair fragments; and 402(a)(4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 9-29-58. Corporation—\$1,000 fine; individual—sentence suspended, and placed on probation for 2 years.

**5189. Candy.** (F.D.C. No. 41735. S. Nos. 7-008/9 P, 7-014 P, 7-016 P.)

**INFORMATION FILED:** 6-18-58, Dist. Mass., against John W. Stewart Co., Inc., Salem, Mass., and Walter L. Abbot, president.

**SHIPPED:** 12-30-57, from Massachusetts to Connecticut.

**LABEL IN PART:** (Pkg.) "Salem's Old Fashioned Candies \* \* \* Peppermint Sticks [or 'Ginger Sticks' or 'Horehound Sticks' or 'Wintergreen Sticks']."

**CHARGE:** 402(a)(3)—contained rodent hair fragments; and 402(a)(4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 10-21-58. Corporation—\$250 fine; individual—placed on probation for 1 year.

**5190. Candy.** (F.D.C. No. 41693. S. No. 19-779 P.)

**QUANTITY:** 77 ctns., 16 6-oz. pkgs. each, at Oklahoma City, Okla.

**SHIPPED:** 4-7-58, from Jacksonville, Fla., by T.M.K. Co., Inc.

**LABEL IN PART:** (Pkg.) "America's Finest Cashew Nut Delight \* \* \* Contents \* \* \* Cashew Nuts, Sweet Cocoa."

**LABELED:** 5-5-59, W. Dist. Okla.

**CHARGE:** 402(a)(3)—contained insects when shipped.

**DISPOSITION:** 6-5-58. Default—consumption by animals.

**5191. Candy.** (F.D.C. No. 41565. S. Nos. 31-365/6 P.)

**QUANTITY:** 3 ctns., 355  $\frac{7}{8}$ -oz. bars total, and 17 ctns., 3,340  $1\frac{1}{4}$ -oz. bars total, of candy at Morristown, N.J.

**SHIPPED:** 4-4-58, from Brooklyn, N.Y., by Rockwood Chocolate Co.

**LABEL IN PART:** (Bar) "Rockwood Pecan Feast with Fruit and Nuts Chocolate."

**LIBELED:** 5-19-58, Dist. N.J.

**CHARGE:** 402(b)(2)—when shipped, peanuts had been substituted in whole or in part for pecans; 403(a)—the label statement "Pecan Feast" was false and misleading as applied to an article in which peanuts had been substituted in part for pecans; and 403(i)(2)—the label of the article failed to bear the common or usual name of each ingredient, since the peanuts had not been declared.

**DISPOSITION:** 6-23-58. Default—delivered to local charitable institution for their use and not for sale.

**25192. Candy.** (F.D.C. No. 42256. S. Nos. 7-958 P, 7-960 P.)

**QUANTITY:** 2,116 lbs. at Boston, Mass.

**SHIPPED:** Between 8-29-58 and 10-17-58, from Georgia, Florida, Alabama, Tennessee, and Mississippi. These were return shipments.

**LIBELED:** 10-27-58, Dist. Mass.

**CHARGE:** 402(a)(3)—contained insects and insect larvae while held for sale.

**DISPOSITION:** 11-24-58. Default—destruction.

**25193. Dietetic candy substitute.** (F.D.C. No. 42136. S. No. 24-079 P.)

**QUANTITY:** 2 cases, 24 6½-oz. pkgs. each, and 1 case, 24 13-oz. pkgs. at Los Angeles, Calif.

**SHIPPED:** 8-5-58, from Brooklyn, N.Y., by Dietetic Food Co., Inc.

**LABEL IN PART:** (Pkg.) "Dia-Mel—Low in Calories—Dietetic Substitute."

**LIBELED:** 10-7-58, S. Dist. Calif.

**CHARGE:** 402(a)(3)—contained insect fragments, insect excreta, rodent sand, soil, and carbon when shipped.

**DISPOSITION:** 10-27-58. Default—destruction.

**25194. Marshmallows.** (F.D.C. No. 42108. S. No. 43-458 P.)

**QUANTITY:** 361 cases, 12 1-lb. bags each, at Denver, Colo.

**SHIPPED:** 3-21-58, from Los Angeles, Calif.

**LIBELED:** 9-3-58, Dist. Colo.

**CHARGE:** 402(a)(3)—contained mold and a decomposed substance when shipped for sale.

**DISPOSITION:** 10-30-58. Default—destruction.

#### SIRUP AND SUGAR\*

**25195. Sorghum sirup.** (F.D.C. No. 41758. S. No. 28-070 P.)

**INFORMATION FILED:** 9-11-58, E. Dist. Tex., against C. L. Williamson, Dallas, Tex.

**SHIPPED:** 12-1-57, from Texas to Oklahoma.

**LABEL IN PART:** (Can) "Pure Sorghum Syrup Country Made Net (Can)  
44 Fluid Ounces."

\*See also No. 25176.