

146. Adulteration of candy. U. S. v. 38 Boxes of Chase's Candy. Default decree of condemnation and destruction. (F. D. C. No. 581. Sample No. 62599-D.)

On or about September 11, 1939, the United States attorney for the Southern District of Texas filed a libel against 38 boxes of candy at Houston, Tex., alleging that the article had been shipped on or about February 9, 1939, by Chase Candy Co. from St. Joseph, Mo.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Chase's 1¢ Cherry Mash Bar."

On October 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MAPLE SIRUP

147. Adulteration and misbranding of maple sirup. U. S. v. 18 Gallon Cans of Maple Sirup. Default decree of condemnation and destruction. (F. D. C. No. 271. Sample No. 52089-D.)

This product, which was represented to be pure maple sirup, was found to consist chiefly of sugar sirup with little or no maple present.

On July 7, 1939, the United States attorney for the Western District of New York filed a libel against 18 gallon cans of maple sirup at Olean, N. Y., alleging that the article had been shipped in interstate commerce on or about April 10, 1939, by Frank Brooks from Corry, Pa.; and charging that it was adulterated and misbranded. The article was labeled: (Sticker) "Pure Maple Syrup 1st Run 1939 H. Lawson, Corry, Pa."

It was alleged to be adulterated in that an imitation maple sirup had been substituted wholly or in part for pure maple sirup, and in that it was mixed in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that the statement on the label that it was pure maple sirup was false and misleading; and in that it was an imitation of another article and was offered for sale under the name of another article.

On August 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

RAW SUGAR

148. Adulteration of raw sugar. U. S. v. 947 Bags of Raw Sugar. Decree of condemnation. Product released under bond. (F. D. C. No. 633. Sample No. 56680-D.)

This product had been shipped in interstate commerce. At the time of examination and while in interstate commerce, it was found to be contaminated with petroleum oil and to be wet and water-soaked. A large part contained a substantial amount of extraneous matter, mostly sawdust and wood chips.

On September 21, 1939, the United States attorney for the Northern District of California filed a libel against 947 bags, each containing 100 pounds of raw sugar, alleging that the article had been shipped from Lihue, T. H., by American Factors, Ltd.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On September 27, 1939, Nick Manno, San Francisco, Calif., having appeared as claimant and the case having been submitted to the court on the libel and the claimant's answer, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law. It was reconditioned by manually removing all filthy and contaminated portions and destroying them.

SPICES

CELERY SEED

149. Misbranding of celery seed. U. S. v. 93 Dozen Packages of Choice Celery Seed. Default decree of condemnation and destruction. (F. D. C. No. 370. Sample No. 47905-D.)

The containers of this product were filled to only one-third of their capacity.

On August 9, 1939, the United States attorney for the District of Maryland filed a libel against 93 dozen packages of celery seed at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 20 and 21, 1939, by Hudson Tea & Spice Co., Inc., from Brooklyn, N. Y.; and charging that it was misbranded in that its container was so filled as to be misleading.

On August 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.