

was adulterated. It was labeled in part: "Mint American Beauty Sticks"; or "Brazil Nut Fudge."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On August 15 and October 14, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

936. Adulteration of candy. U. S. v. 69 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2416. Sample No. 20243-E.)

Samples of this product were found to contain rodent hairs and insect fragments.

On July 25, 1940, the United States attorney for the Northern District of Georgia filed a libel against 69 boxes of candy at Gainesville, Ga., alleging that the article had been shipped in interstate commerce on or about July 1, 1940, by Schoenith, Inc., from Charlotte, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On September 12, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

937. Adulteration of candy. U. S. v. 60 Cartons of Candy (and one other seizure action against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 1836, 2282. Sample Nos. 4676-E, 4677-E, 13858-E, 13858-E, 13861-E to 13864-E. incl.)

Samples taken from this product were found to contain rodent hairs, human hairs, cat hairs, and insect fragments.

On April 22 and July 1, 1940, the United States attorneys for the Northern District of Illinois and the District of Oregon filed libels against 68 cartons of candy at Chicago, Ill., and 762 cartons and 39 cases of candy at Portland, Oreg., alleging that the article had been shipped in interstate commerce within the period from on or about January 11 to on or about February 27, 1940, by the United Drug Co. from St. Louis, Mo.; and charging that it was adulterated. Portions were labeled variously: "Joan Manning Assorted Chocolates [or "Liggett's Original Assorted Chocolates" or "Stafford Arms Assorted Chocolates"] Gales Chocolate Company, Boston, Mass." The remaining lots were labeled variously: "Homemaid Chocolate Peppermint Patties [or "Assorted Chocolates Vincents" or "Fenway Chocolate Covered Cherries"] Horton of Boston, Inc. Boston, Mass."

The article was alleged to be adulterated in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth; and in that it consisted in whole or in part of a filthy substance.

On August 8 and September 12, 1940, no claimants having appeared, judgments of condemnation were entered and the product was ordered destroyed.

938. Adulteration of jelly beans. U. S. v. 49 Boxes of Jelly Beans. Default decree of condemnation and destruction. (F. D. C. No. 2338. Sample No. 11057-E.)

Samples of this product were found to contain rodent hairs, splinters, and non-descript dirt.

On or about July 5, 1940, the United States attorney for the Southern District of Texas filed a libel against 49 boxes of jelly beans at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about May 8, 1940, by the Two Star Confectionery Co. from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On August 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

939. Adulteration and misbranding of candy. U. S. v. 12 Boxes and 11 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2497. Sample No. 20078-E.)

Samples taken from this product were found to contain rodent hairs and insect fragments. A portion was unlabeled and was therefore misbranded because of failure to comply with the labeling requirements of the law.

On or about August 13, 1940, the United States attorney for the Eastern District of South Carolina filed a libel against 23 boxes of bar candy at Orangeburg, S. C., alleging that the article had been shipped in interstate commerce on or about July 14, 1940, by Jack's Cookie Co. from Charlotte, N. C.; and charging that it was adulterated and misbranded. A portion of the product was labeled in part: (Wrapper) "Eat More King's Royal Mellow Bars * * * King's Candy Company Charlotte, N. C."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

The unlabeled portion was alleged to be misbranded in that it was in package form and did not bear the name and place of business of manufacturer, packer, or distributor; and did not bear an accurate statement of the quantity of the contents. It was alleged to be misbranded further in that it was fabricated from two or more ingredients and did not bear a label containing the common or usual name of each such ingredient. It was alleged to be misbranded further in that it bore or contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On September 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

940. Adulteration and misbranding of candy. U. S. v. 4 Cases and 10 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2559. Sample Nos. 20903-E, 20904-E.)

Samples of this product were found to contain rodent hairs and insect fragments. Moreover, its labeling failed to bear the name of each of the ingredients from which it was made.

On August 22, 1940, the United States attorney for the Western District of North Carolina filed a libel against 14 cases of candy labeled "Peanut Squares" at Asheville, N. C., alleging that the article had been shipped in interstate commerce on or about July 2 and July 30, 1940, by the McAfee Candy Co. from Macon, Ga.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

It was alleged to be misbranded in that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each such ingredient.

On September 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

941. Adulteration and misbranding of candy. U. S. v. 43 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2509. Sample No. 156-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be adulterated in that it contained rodent hairs and insect fragments. It was unlabeled and was therefore misbranded because of failure to comply with the labeling requirements of the law.

On August 8, 1940, the United States attorney for the Middle District of Georgia filed a libel against 43 cartons of candy at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about July 24, 1940, by the Quincy Candy Co. from Quincy, Fla.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

It was alleged to be misbranded in that it was in package form but did not bear a label containing the name and place of business of the manufacturer, packer, or distributor and an accurate statement of the quantity of the contents. It was alleged to be misbranded further in that it was fabricated from two or more ingredients and did not bear a label stating the common or usual name of each of such ingredients; and in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On September 12, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.