

**1673. Adulteration of candy. U. S. v. 15 Boxes of Candy (and 2 other seizure actions against candy). Default decrees of condemnation and destruction.** (F. D. C. Nos. 2382, 2413, 2414. Sample Nos. 14865-E, 14960-E, 14961-E.)

This product contained rodent hairs and insect fragments.

On July 18 and 24, 1940, the United States attorney for the District of New Jersey filed libels against 41 boxes of candy at Camden, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about June 14 to on or about June 28, 1940, by the John B. Arata Co. from Philadelphia, Pa.; 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. The article was labeled in part: "Arata's Cinnamon Potatoes [or "Marshmallow Clams"]."

On July 31, 1941, no claimant having appeared, judgments of condemnation were entered, and the product was ordered destroyed.

**1674. Adulteration of candy. U. S. v. 15 and 11 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 3457. Sample Nos. 28545-E, 28546-E.)

This product contained insect fragments and rodent hairs.

On November 30, 1940, the United States attorney for the Eastern District of Virginia filed a libel against twenty-six 5-pound boxes of candy at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about September 23, 1940, by Brookwood Candies, Inc., from Atlanta, Ga.; and charging that it was adulterated in that it consisted wholly 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 labeled in part: "Lamar Chocolate Covered Peppermints [or "Maple Cream Walnuts"]."

On December 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1675. Adulteration of candy. U. S. v. 51 and 11 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 3067. Sample Nos. 32255-E, 32256-E.)

This product was insect-infested.

On September 24, 1940, the United States attorney for the District of Arizona filed a libel against 62 boxes of candy at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about February 17, 1940, by the Curtiss Candy Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Wrapper) "Jolly Jack 5¢"; or "Butterfinger 5¢."

On January 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1676. Adulteration and misbranding of candy. U. S. v. 38 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 3103. Sample No. 30096-E.)

This product contained rodent hairs and insect fragments and was short of the declared weight.

On September 28, 1940, the United States attorney for the Western District of Michigan filed a libel against 38 boxes of candy at Benton Harbor, Mich., alleging that the article had been shipped in interstate commerce on or about September 14, 1940, by the Di Giorgio Allegretto Co. from Chicago, Ill.; and charging that it was adulterated and misbranded. It was labeled in part: "Net Weight 2 Oz. Cherry Cordials 5¢."

The article was alleged to be adulterated in that it consisted wholly 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 the statement "Net Weight 2 Oz." was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On February 18, 1941, claimant Fiore Di Giorgio, trading as Di Giorgio Allegretto Co., having withdrawn his claim and answer with leave of court, judgment of condemnation was entered and the product was ordered destroyed.