

3404. Adulteration of candy. U. S. v. Cosner Candy Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 5547. Sample Nos. 44761-E, 44762-E, 44764-E, 44767-E, 44769-E, 65002-E to 65005-E, incl., 65009-E, 65010-E, 65013-E, 65206-E.)

Samples of this product were found to contain rodent hairs.

On February 19, 1942, the United States attorney for the District of Colorado filed an information against the Cosner Candy Co., a corporation, Denver, Colo., alleging shipment in interstate commerce on or about February 18 and April 7 and 9, 1941, from the State of Colorado into the States of Texas, Idaho, Kansas, and Utah, of quantities of candy that was adulterated. It was labeled in part: "5 Lbs. Peerless Milk Choc."; "5# Caramel"; "5# Maple [or "Vanilla" or "Caramel"]"; "5# Wintergreen [or "Lime," "Lemon," or "Mint"] Banquet Wafers"; "Pure Lime Sticks"; "Pure Peppermint Sticks"; "Virginia Crimp"; or "Ostrich Foil Eggs."

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.

On February 25, 1942, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$250.

3405. Adulteration of candy. U. S. v. Louis Heidelberg, Gustav Heidelberg, Heidelberg Confectionery Co., Inc. Plea of nolo contendere. Corporate defendant, fine of \$200; individual defendants, jail sentences of 10 days each. Sentences suspended and defendants placed on probation for 6 months. (F. D. C. No. 5508. Sample Nos. 14862-E, 24262-E, 24263-E, 24266-E, 40086-E, 40087-E, 40089-E, 40091-E, 40166-E to 40170-E, incl., 40316-E, 40318-E, 40319-E.)

Examination showed that this product was contaminated with insect fragments and rodent hairs and excreta.

On January 31, 1942, the United States attorney for the Eastern District of Pennsylvania filed an information against Louis Heidelberg, Gustav Heidelberg, and Heidelberg Confectionery Co., Inc., a corporation, Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about June 22, 1940, to on or about January 30, 1941, from the State of Pennsylvania into the State of New Jersey of quantities of candy which 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 product was labeled in part: "Famous Jelly Eggs," "Spearmint Leaves," "Orange Jelly Bars," "Famous Chocolate Peppermints," "Jersey Style Cream Bars," "Sunnies," "Big Six," "Bermudas," "Chocolate Bermudas," or "Lady Dainty."

On March 9, 1942, a plea of nolo contendere was entered on behalf of each of the defendants and the court imposed a fine of \$200 against the corporation. Jail sentences of 10 days each were imposed upon the individual defendants, which sentences were suspended and the defendants were placed on probation for a period of 6 months.

3406. Adulteration of candy. U. S. v. 9 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 6240. Sample No. 59075-E.)

Examination showed that this product contained rodent hairs.

On November 18, 1941, the United States attorney for the Middle District of Pennsylvania filed a libel against 9 12-pound cartons of candy at York, Pa., alleging that the article had been shipped in interstate commerce on or about October 27, 1941, by the Blue Ribbon Candy Co. from Baltimore, Md.; 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: "Peanut Brittle."

On April 8, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3407. Adulteration of candy. U. S. v. 63 Boxes, 33 Boxes, and 107 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 6897, 6944, 6960. Sample Nos. 70511-E, 70652-E, 70659-E.)

Examination showed that this product was contaminated with filth, such as rodent hairs and insect fragments.

On or about February 26 and 27 and March 9, 1942, the United States attorneys for the Eastern District of South Carolina and the Southern District of Georgia filed libels against 96 boxes of candy at Charleston, S. C., and 107