

to January 23, 1943, from Blue Island, and Chicago, Ill., and Crowley, La.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been held under insanitary conditions whereby they may have become contaminated with filth.

On May 28, 1943, Morris Alper & Sons, Inc., of Boston, Mass., having appeared as claimant and having admitted the allegations of the libels, a consolidated decree of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portions of the products under the supervision of the Food and Drug Administration.

## CHOCOLATE, SUGARS, AND RELATED PRODUCTS

### CANDY

Nos. 5127 to 5132 report actions involving candy that was contaminated with one or more types of filth, such as rodent excreta, rodent hairs, hair fragments resembling rodent or cat hairs, insects and insect fragments, splinters, fibres, and nondescript dirt. No. 5132 was also misbranded.

**5127. Adulteration of candy. U. S. v. C. A. Briggs Co. Plea of guilty. Fine, \$150.** (F. D. C. No. 9664. Sample Nos. 17060-F, 19395-F, 44588-F.)

This product contained rodent hair fragments, hair fragments resembling rodent or cat hairs, and insect fragments.

On June 28, 1943, the United States attorney for the District of Massachusetts filed an information against the C. A. Briggs Co., a corporation, at Cambridge, Mass., alleging shipment within the period from on or about January 14 to March 2, 1943, from the State of Massachusetts into the States of New York, Maine, and Connecticut of a quantity of candy that was adulterated in that it consisted in whole or in part of filthy substances, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "Old Cabin Sweets," "Aristo Chocolates," or "Rum and Butter Crunch."

On August 3, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50 on each of the 3 counts contained in the information, or a total fine of \$150.

**5128. Adulteration of candy. U. S. v. 21 Boxes and 10 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 9731. Sample Nos. 33902-F, 33903-F.)

This product contained rodent hairs, rodent hair fragments and hair fragments resembling rodent hair.

On April 2, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against a total of 31 boxes of candy at Bradford, Pa., alleging that the article had been shipped in interstate commerce on or about March 22, 1943, by Mary Lincoln Candies, Inc., from Buffalo, 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 may have become contaminated with filth. The article was labeled in part: "Mary Lincoln Old Fashioned Candies."

On April 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**5129. Adulteration of candy. U. S. v. 1 Carton and 25 Pounds of Candy (and 3 additional seizure actions against candy). Default decrees of condemnation and destruction.** (F. D. C. Nos. 9809, 9840, 9841, 9856. Sample Nos. 10384-F, 23619-F to 23621-F, incl., 37176-F, 37248-F to 37251-F, incl.)

This product contained insect fragments, rodent hair fragments, hair fragments resembling rodent hairs, rodent excreta, splinters, fibers, and nondescript material.

Between April 17 and 22, 1943, the United States attorneys for the Eastern District of Louisiana, the District of New Jersey, the District of Maryland, and the District of Columbia filed libels against 1 carton and 25 pounds of candy at New Orleans, La., 115 boxes and 4 cartons of candy at Camden, N. J., 19 boxes of candy at Baltimore, Md., and 353 boxes of candy at Washington, D. C., alleging that the article had been shipped in interstate commerce within the period from on or about March 5 to April 7, 1943, by Ph. Wunderle 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 may have become contaminated with filth. The article was labeled in part: "Licorice Mint Jujubes," "The Best Candies \* \* \* Scotties," "Genuine Apple Jelly Rings Assorted" "Debutantes" "Butter Cream Eggs," "Crystallized Coconut Cream Eggs," "Opera Jujubes," or "Franklin Mixture Black."

Between May 21 and June 21, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**5130. Adulteration of candy. U. S. v. 83 Cases and 302 Cartons of Candy. Consent decree of condemnation and destruction.** (F. D. C. No. 9839. Sample Nos. 3050-F, 3051-F, 3053-F.)

This product contained rodent hair fragments and a portion also contained rodent excreta.

On May 1, 1943, the United States attorney for the District of Kansas filed a libel against 83 cases and 302 cartons, each case and carton containing 12 cellophane bags, of candy, at Wichita, Kans., alleging that the article had been shipped in interstate commerce on or about March 26 and 29, 1943, by the Loose-Wiles Biscuit Co. from Kansas City, Mo.; 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 may have become contaminated with filth. The article was labeled in part: "Sunshine Jumbo Candy Corn [or "Orange Slices" or "Lemon Drops"]."

On May 3, 1943, the Loose-Wiles Biscuit Co. having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**5131. Adulteration of candy. U. S. v. 13 Cartons of Candy (and 3 additional seizure actions against candy). Default decrees of condemnation and destruction.** (F. D. C. Nos. 9773, 9872, 10027, 10209. Sample Nos. 14489-F to 14494-F, incl., 22641-F, 37147-F, 37148-F, 45947-F.)

This product contained rodent hairs, hair fragments resembling rodent hairs, and insect fragments.

Between April 8 and July 8, 1943, the United States attorneys for the District of Columbia, Eastern District of Pennsylvania, District of Maryland, and Southern District of California filed libels against 15 cartons, each containing 24 glass jars, of candy at Washington, D. C., 70 jars of candy at Philadelphia, Pa., 3 boxes of candy at Baltimore, Md., and 97 boxes of candy at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce within the period from on or about March 20 to May 14, 1943, by the Heller Candy Co., Inc., from New York City, 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 may have become contaminated with filth. The article was labeled in part: "Heller Candies New York Licorice Leaves," "Molasses Mint," "Honey Leaves," "Heller New York Miniatures," "Assorted Patties," "Mint Truffles," "Moca Truffles" or "Assorted Truffles."

Between May 6 and August 11, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**5132. Adulteration and misbranding of candy. U. S. v. 23 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 9768. Sample No. 32490-F.)

Examination of this product showed that the fruit ingredient of the article consisted of a small amount of raisins.

On April 13, 1943, the United States attorney for the Northern District of Ohio filed a libel against 23 boxes of candy bars at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about March 9, 1943, by Greasley's, Inc., from Parkersburg, W. Va.; and charging that it was adulterated and misbranded.

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

It was alleged to be misbranded in that the name "Ful-O-Fruit" appearing on the label was false and misleading as applied to an article containing a small amount of raisins.

On June 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.