

On September 28, 1943, the Southern Rice Sales Co., Inc., having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be repackaged under the supervision of the Food and Drug Administration.

## CHOCOLATE, SUGARS, AND RELATED PRODUCTS

### CANDY\*

**5440. Adulteration of candy. U. S. v. 3 Cartons and 10 Boxes of Candy (and 2 other seizure actions against candy). Decrees of condemnation and destruction.** (F. D. C. Nos. 10498, 10511, 10513. Sample Nos. 46185-F, 46187-F, 46190-F, 46192-F, 46193-F, 46197-F, 46198-F, 53319-F to 53321-F, incl.)

Examination showed that various portions of this product contained one or more of the following filthy substances: Larvae, insects, larva and insect fragments, rodent hair fragments, cast skins, and larvae cast skins.

On August 24, and 30, 1943, the United States attorney for the Western District of Virginia and the District of Columbia filed libels against 3 cartons and 10 boxes of candy at Front Royal, Va., and a total of 598 boxes of candy at Washington, D. C., alleging that the article had been shipped within the period from on or about July 23 to August 13, 1943, by or from the General Candy Co., 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: (Carton) "Baltimore Ices," or "Assorted Cocomanut Bonbons"; (boxes) "Peppermint Puffs," "Peanut Brittle Bars," "Peanut Bars," "Big Chief Peanut Bars," "Pe-Co Chop Suey Squares," or "Cocomanut Bon Bons Assorted."

On October 7 and 25, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**5441. Adulteration of candy. U. S. v. 10 Cartons of Candy. Decree of condemnation and destruction.** (F. D. C. No. 10514. Sample No. 46188-F.)

On August 30, 1943, the United States attorney for the District of Columbia filed a libel against 10 cartons of candy at Washington, D. C., alleging that the article had been shipped on or about August 4, 1943, from Baltimore, Md., by the Virginia Peanut Co.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence therein of larvae, larva fragments, and insect fragments, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Carton) "Assorted Cocomanut Bonbons \* \* \* Manufactured by General Candy Company 515 W. Lombard St. Baltimore, Md."

On October 7, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**5442. Misbranding of candy. U. S. v. Cardinet Candy Company, Inc. Plea of nolo contendere. Fine, \$50.** (F. D. C. No. 10573. Sample No. 42648-F.)

On November 12, 1943, the United States attorney for the Northern District of California filed an information against the Cardinet Candy Co., Inc., Oakland, Calif., alleging shipment on or about May 3, 1943, from the State of California into the State of Oregon of 2 cases, each containing a number of candy bars that were misbranded. The article was labeled in part: (Wrapper enclosing candy bar) "Cardinet's Almond Toffee. Net Weight 1 Oz."

The article was alleged to be misbranded in that the statement "Net Weight 1 Oz" borne on the wrapper was false and misleading since each of the candy bars weighed less than 1 ounce net; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents in terms of weight.

On November 26, 1943, a plea of nolo contendere having been entered, the court imposed a fine of \$50.

**5443. Misbranding of candy. U. S. v. 22 Cases and 25 Cases of Candy. Consent decree of condemnation. Product ordered released under bond for re-labeling and repacking.** (F. D. C. No. 10345. Sample Nos. 12285-F, 12286-F.)

This candy was contained in small cedar chests, each chest containing a cellophane-wrapped tray of candy which was elevated by means of a false bottom.

\*See also, Gift Packages.