

## CHOCOLATE, SUGARS, AND RELATED PRODUCTS

## CANDY

- 6865. Adulteration of candy. U. S. v. 27 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 13310. Sample No. 65762-F.)  
**LIBEL FILED:** August 8, 1944, Southern District of New York.  
**ALLEGED SHIPMENT:** On or about December 31, 1943, by the Ferrara Panned Candy Co., Chicago, Ill.  
**PRODUCT:** 27 boxes of candy at New York, N. Y.  
**LABEL, IN PART:** (Boxes) "320 Count 10 for 5c Chocolate Almonds."  
**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of moths, beetles, larvae, insect excreta, and webbing.  
**DISPOSITION:** September 1, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.
- 6866. Adulteration of candy. U. S. v. 8 Cartons, 20 Cartons, and 14 Cartons of Candy Bars. Consent decree of condemnation and destruction.** (F. D. C. No. 12213. Sample Nos. 59090-F to 59092-F, incl.)  
**LIBEL FILED:** On or about April 19, 1944, Southern District of West Virginia.  
**ALLEGED SHIPMENT.** On or about March 18, 1944, by Russell Mansfield (jobber for Harris Candy Co., manufacturer), from Richmond, Va.  
**PRODUCT:** 42 cartons, each containing 32 bars of candy, at Charleston, W. Va.  
**LABEL, IN PART:** (Cartons) "Chocolate," or "Fudge"; (bar label) "Fudge Bar \* \* \* Wt. Over One Ounce"; or (cartons) "Peanut"; (bar label) "Nuffed 5¢."  
**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.  
**DISPOSITION:** September 9, 1944. The consignee, the only interested party, having requested the immediate entry of a decree of condemnation, judgment was entered accordingly and the product was ordered destroyed.
- 6867. Adulteration of candy. U. S. v. 74 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 14024. Sample No. 63749-F.)  
**LIBEL FILED:** October 9, 1944, Middle District of North Carolina.  
**ALLEGED SHIPMENT:** On or about May 19, 1944, by Schingen Candies, Inc., from Philadelphia, Pa.  
**PRODUCT:** 74 boxes, each containing 48 pieces, of candy at Salisbury, N. C. Examination showed the article to be moldy and to have a sour odor and taste.  
**LABEL, IN PART:** "Tourraine Brand Chocolate Covered Ko-Kets."  
**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance and was otherwise unfit for food.  
**DISPOSITION:** November 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.
- 6868. Adulteration of candy. U. S. v. 31 Boxes, 78 Boxes, and 197 Boxes of Candy. Default decrees of condemnation and destruction.** (F. D. C. Nos. 12999, 13077. Sample Nos. 68321-F, 68322-F, 68326-F.)  
**LIBELS FILED:** July 20 and 28, 1944, Northern District of Ohio.  
**ALLEGED SHIPMENT:** On or about June 15 and July 6, 1944, by Michael Tenzer, Inc., New York, N. Y.  
**PRODUCT:** 31 boxes, 78 boxes, and 197 boxes, each containing 24 bars, of candy at Cleveland, Ohio.  
 The 78 boxes and 197 boxes contained mold. In addition, the 78 boxes contained insect excreta. The 31 boxes contained larvae, cocoons, insect excreta, and webbing.  
**LABEL, IN PART:** "Chocolate Sweets-A-Poppin 5¢ Made by Waldies Chocolate Co. Inc. New York, N. Y.," or "Nuts and Fruits 5¢ \* \* \* Mfd. by Waldies Choc. Co. Inc. New York, N. Y."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or filthy and decomposed substance.

**DISPOSITION:** August 15 and 21, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**6869. Adulteration of candy. U. S. v. 29 Cartons of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 13189. Sample No. 52521-F.)

**LIBEL FILED:** August 5, 1944, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about July 10, 1944, by R. Zatal Foods, Inc., from Bronx, N. Y.

**PRODUCT:** 29 cartons, each containing 5 pounds, of candy at Boston, Mass.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 19, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6870. Adulteration of licorice candy. U. S. v. 6 Cartons of Candy (and 6 other seizure actions against candy). Decrees of condemnation. Product ordered destroyed.** (F. D. C. Nos. 13355, 13392, 13393, 13432, 13433, 13612, 13632. Sample Nos. 36189-F to 36196-F, incl., 50987-F, 77679-F, 78062-F, 78081-F, 84909-F, 85014-F.)

**LIBELS FILED:** Between August 16 and September 8, 1944, Eastern District of Pennsylvania and District of Colorado.

**ALLEGED SHIPMENT:** From on or about July 24 to August 12, 1944, by the American Licorice Co., from Chicago, Ill.

**PRODUCT:** 73 cartons, 134 cases, and 67 boxes, each containing 30 pounds, and 3,839 pounds in cartons, of licorice candy at Lansdowne, Pa., and 327 boxes at Denver, Colo.

**LABEL, IN PART:** (Portions) "French Briars," "Licorice Snaps," "Big Twist," or "American Cigarettes."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), (all lots) the product consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following: Larvae, insect fragments, insects, rodent hair fragments, and weevils; and, Section 402 (a) (4), (some lots) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 15 and October 10, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**6871. Adulteration and misbranding of candy. U. S. v. 63 Cartons and 28 Boxes of Candy Bars. Default decrees of condemnation and destruction.** (F. D. C. Nos. 13734, 14144. Sample Nos. 75633-F, 92003-F.)

**LIBELS FILED:** September 25, 1944, Southern District of Ohio; October 27, 1944, Western District of New York.

**ALLEGED SHIPMENTS:** On or about August 8 and September 9, 1944, by Calton Heckerman, from Bedford, Pa.

**PRODUCT:** 63 cartons, and 28 boxes, each containing 24 bars of candy, at Steubenville, Ohio, and Buffalo, N. Y., respectively.

**LABEL, IN PART:** "Heckerman's DeLux Bar Five Cents Net Weight 1½ [or "1¼"] Ounces."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), (both lots) the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments; and, Section 402 (b) (4), (Buffalo lot) puffed wheat had been added to the product to increase its bulk and to make it appear better or of greater value than it was, since it had the appearance of a peanut bar.

Misbranding, Section 403 (e) (2), (Steubenville lot) it was food in package form and failed to bear a label containing an accurate statement of the quantity of contents, since the label statement was inaccurate.

**DISPOSITION:** November 14 and 20, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.