

8566. Adulteration of candy. U. S. v. Hardie Brothers Co., and Alexander Hardie. Pleas of guilty. Corporation fined \$75; individual fined \$3. (F. D. C. No. 16526. Sample Nos. 75685-F, 90911-F, 92951-F.)

INFORMATION FILED: August 9, 1945, Western District of Pennsylvania, against the Hardie Brothers Co., a corporation, Pittsburgh, Pa., and Alexander Hardie, director and factory manager.

ALLEGED SHIPMENT: Between the approximate dates of December 6 and 9, 1944, from the Commonwealth of Pennsylvania into the States of Ohio, Kentucky, and Maryland.

LABEL, IN PART: "Nora-Lee Nut Fondant," "Yuletide Mixture," or "Sugar Jelly Stars."

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

DISPOSITION: October 8, 1945. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$75, and the individual was fined \$3.

8567. Adulteration of candy. U. S. v. 28 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 16658. Sample No. 7087-H.)

LIBEL FILED: June 28, 1945, Eastern District of New York.

ALLEGED SHIPMENT: On or about May 23, 25, and 29, 1945, by the Phoebe Phelps Caramel Co., from Boston, Mass.

PRODUCT: 28 cartons, each containing 36 1-pound tins, of candy at Long Island City, N. Y.

LABEL, IN PART: "Huyler's Since 1876 Caramels * * * vanilla and chocolate flavored chewy caramels."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, wood splinters, and fragments of metal, paint, and dirt; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: September 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8568. Adulteration of candy. U. S. v. 36 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 16948. Sample No. 23621-H.)

LIBEL FILED: August 1, 1945, Southern District of Texas.

ALLEGED SHIPMENT: On or about June 19, 1945, from Chattanooga, Tenn., by the Brock Candy Co.

PRODUCT: 36 cartons of candy at Houston, Tex.

LABEL, IN PART: (Cartons) "120 Crystal Jelly Drops Net Count."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted of a filthy substance in that it contained rodent hair fragments, weevils, insect fragments, and wood fragments.

DISPOSITION: September 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8569. Adulteration and misbranding of candy. U. S. v. 30 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 15322. Sample No. 6084-H.)

LIBEL FILED: On or about March 7, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about February 5, 1945, by the Waldies Chocolate Co., Inc., from New York, N. Y.

PRODUCT: 30 boxes, each containing 24 1¼-ounce bars, of candy at Passaic, N. J.

LABEL, IN PART: "A New Taste Thrill! Coconut Candy * * * Ingredients: Sugar, Corn Syrup, Coconut, Creme of Maize, Chocolate, Artificial Flavor."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a chocolate-coated candy bar containing a filling most of which was corn flakes, with a small amount of coconut, had been substituted in whole or in part for coconut candy.

Misbranding, Section 403 (a), the label statement, "Coconut," was false and misleading as applied to the article; and, Section 403 (i) (2), the label