

**ALLEGED SHIPMENT:** Between the approximate dates of October 18 and November 13, 1945, from the State of Pennsylvania into the States of New York, Ohio, and West Virginia.

**LABEL, IN PART:** "World's Greatest 5¢ Candy Bar Clark 5¢ Eclipses All!" or "Clark's Winkers."

**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 insects, insect fragments, rodent hairs, rodent hair fragments, and cat hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 16, 1946. Pleas of nolo contendere having been filed on behalf of both defendants, the court imposed fines of \$1,000 and costs against the corporate defendant and \$1.00 and costs against the individual defendant.

**11341. Adulteration of candy. U. S. v. Congress Candy Co. and Armin F. Rohde. Pleas of guilty. Defendants fined \$500 each and placed on probation for a period of 1 year. (F. D. C. No. 20448. Sample Nos. 51148-H, 51149-H.)**

**INFORMATION FILED:** July 12, 1946, District of North Dakota, against the Congress Candy Co., a partnership, Grand Forks, N. Dak., and Armin F. Rohde, manager.

**ALLEGED SHIPMENT:** On or about April 17, 1946, from the State of North Dakota into the State of Minnesota.

**LABEL, IN PART:** "Salted Nut Roll," or "Long-Tom."

**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 insect excreta, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 4, 1946. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$500 against each defendant on count 1 and placed them both on probation for a period of 1 year on count 2.

**11342. Adulteration of candy. U. S. v. Joe D. Lunsford and James R. Chumney (Jay Dee Candy Co.). Pleas of nolo contendere. Fines of \$250 against each individual defendant. (F. D. C. No. 20446. Sample Nos. 25207-H, 25208-H, 28899-H.)**

**INFORMATION FILED:** January 23, 1947, Northern District of Texas, against Joe D. Lunsford and James R. Chumney, copartners, trading as the Jay Dee Candy Co., Dallas, Tex.

**ALLEGED SHIPMENT:** On or about August 20 and October 3, 1945, from the State of Texas into the States of Louisiana and Washington.

**LABEL, IN PART:** "A Sweet Surprise 5¢ Carmel-Nut Candy," "5¢ Honey Chile," or "Cap'n Billy 5¢ Spanish Nougat Bar."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, insect fragments, and rat or mouse hair; and, Section 402 (a) (4), (*Sweet Surprise* and *Honey Chile* candy) the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** January 29, 1947. Pleas of nolo contendere having been entered, the court imposed fines of \$250 against each of the defendants.

**11343. Adulteration of candy. U. S. v. Louis Peters (Peters Icing Flower Co.). Pleas of guilty. Fine, \$900 and costs. (F. D. C. No. 20440. Sample Nos. 13788-H, 13789-H, 59705-H.)**

**INFORMATION FILED:** August 22, 1946, Northern District of Ohio, against Louis Peters, trading as the Peters Icing Flower Co., Canton, Ohio.

**ALLEGED SHIPMENT:** On or about October 26 and November 1 and 3, 1945, from the State of Ohio into the States of West Virginia and Pennsylvania.

**LABEL, IN PART:** "Medallion Assorted Chocolate Package," or "Medallion Package Fancy Assorted Chocolates."

**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, insect fragments, and larvae; and, Section 402 (a) (4), it had been

prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 22, 1946. The defendant having entered a plea of guilty, the court imposed a fine of \$300 on each count, a total fine of \$900, plus costs.

**11344. Adulteration of candy. U. S. v. 1,008 Boxes \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 20675 to 20677, incl. Sample-Nos. 19358-H, 19359-H, 19781-H.)

**LABELS FILED:** August 17 and 19, 1946, Northern District of Iowa and Western District of Wisconsin.

**ALLEGED SHIPMENT:** July 29 and 30, 1946, by the DeLuxe Candy Co., from Minneapolis, Minn.

**PRODUCT:** Candy bars. 1,008 boxes at Marshfield, Wis., and 200 boxes at Waterloo, Iowa. Each box contained 24 1¼-ounce candy bars.

**LABEL, IN PART:** "Luxy Bar."

**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 insects and insect parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 17, 1946, and January 9, 1947. No claimant having appeared, judgments of condemnation were entered. It was ordered that the Marshfield lot be delivered to a public institution, for use as animal feed, and that the two Waterloo lots be destroyed.

**11345. Adulteration of candy. U. S. v. 232 Boxes \* \* \* (and 2 other seizure actions).** (F. D. C. Nos. 21105, 21140, 21183. Sample Nos. 67233-H, 67235-H, 67239-H.)

**LABELS FILED:** September 30 and October 3 and 14, 1946, District of Nebraska.

**ALLEGED SHIPMENT:** On or about August 30 and September 3, 1946, by the Western Candy Co., from Clinton, Okla.

**PRODUCT:** Candy bars. 232 boxes at Omaha, 162 boxes at Fremont, and 305 boxes at Columbus, Nebr. Each box contained 24 candy bars.

**LABEL, IN PART:** "Ann's Toasted Coconut Bar."

**NATURE OF CHARGE:** Adulteration, Section 402 (d), the article was confectionery and contained a nonnutritive substance, mineral oil.

**DISPOSITION:** December 11, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**11346. Adulteration of candy. U. S. v. 14 Cases \* \* \*. (F. D. C. No. 20630. Sample No. 53041-H.)**

**LABEL FILED:** August 8, 1946, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 10, 1946, by the West Specialty Co., from Chicago, Ill.

**PRODUCT:** 14 cases, each containing 48 bars, of candy at Akron, Ohio.

**LABEL, IN PART:** "West Creamy Fudge."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of mold.

**DISPOSITION:** November 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11347. Adulteration of candy bars. U. S. v. 453 Boxes \* \* \*. (F. D. C. No. 21120. Sample No. 61439-H.)**

**LABEL FILED:** October 1, 1946, Western District of Washington.

**ALLEGED SHIPMENT:** On or about July 18, 1946, by the Casebolt Biscuit Co., from Fort Worth, Tex.

**PRODUCT:** 453 boxes, each containing 16 candy bars at Seattle, Wash.

**LABEL, IN PART:** "Little Lambs Eat Candy—Wouldn't You."

**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 live larvae, webbing, and insect excreta.