

DISPOSITION: September 17, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution.

12459. Adulteration of chocolate candy. U. S. v. George Kon (Kay Candy Manufacturers). Plea of guilty. Fine, \$20. (F. D. C. No. 23605. Sample Nos. 91225-H, 91226-H.)

INFORMATION FILED: November 5, 1947, District of New Jersey, against George Kon, trading as Kay Candy Manufacturers, at Newark, N. J.

ALLEGED SHIPMENT: On or about March 30 and April 1, 1947, from the State of New Jersey into the State of New York.

LABEL, IN PART: (Portion) "Barton's bonbonniere."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rat or mouse hairs, and miscellaneous dirt such as metal fragments, wood splinters, paint fragments, and nondescript material; and, Section 402 (a) (4), it was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 14, 1948. A plea of guilty having been entered by the defendant, the court imposed a fine of \$10 on each of the 2 counts.

12460. Adulteration of candy. U. S. v. 10 Boxes * * * (and 4 other seizure actions). (F. D. C. Nos. 23736, 23742, 23754, 23772, 23778. Sample Nos. 69442-H, 70036-H, 14201-K, 26406-K, 28401-K.)

LIBELS FILED: September 8, 15, 24, and 25, 1947, Eastern District of Michigan, Northern District of Indiana, District of Colorado, and Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 5, 13, 15, and 16, 1947, by the Lion Specialty Co., from Chicago, Ill.

PRODUCT: Candy. 10 boxes at Detroit, Mich.; 10 boxes at Michigan City, Ind.; 20 boxes at Fort Wayne, Ind.; 10 boxes at St. Louis, Mo.; and 830 pounds at Denver, Colo. Each box contained 23 pounds.

LABEL, IN PART: "Peanut Butter Kisses."

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 insects, insect fragments, larvae, 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 10, 22, and 29, and December 9, 1947. Default decrees of condemnation and destruction.

12461. Adulteration of candy. U. S. v. 276 Cartons * * *. (F. D. C. No. 23811. Sample No. 26424-K.)

LIBEL FILED: October 14, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 22, 1947, by Butler Brothers, from Chicago, Ill. This was a return shipment.

PRODUCT: 276 20-pound cartons of candy at St. Louis, Mo.

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 beetles, larvae, and webbing.

DISPOSITION: November 6, 1947. Default decree of condemnation and destruction.

12462. Adulteration and misbranding of candy. U. S. v. 7 Cartons * * *. (F. D. C. No. 23693. Sample No. 572-H.)

LIBEL FILED: September 15, 1947, Southern District of Florida.

ALLEGED SHIPMENT: On or about July 30, 1947, by Frank Schute's Sons, from Philadelphia, Pa.

PRODUCT: 7 cartons, each containing 12 boxes, of candy at Miami, Fla.

LABEL, IN PART: "Schute's Rum Butter Toffee * * * Net Weight One Pound," "Social Whirls Assorted Flavors One Pound Net," or "Schute's Salt Water Taffy One Pound Net."