

CANDY, SIRUP, AND SUGAR**CANDY**

17251. Adulteration of candy. U. S. v. The Euclid Candy Co. of Illinois, Inc., and Walter F. Eggert. Pleas of guilty. Corporation fined \$800; individual fined \$200. (F. D. C. No. 30086. Sample Nos. 43367-K, 59038-K, 77571-K, 84572-K, 85250-K, 85256-K, 85257-K, 88614-K.)

INFORMATION FILED: April 3, 1951, Northern District of Illinois, against Euclid Candy Co. of Illinois, Inc., Chicago, Ill., and Walter F. Eggert, secretary of the corporation.

ALLEGED SHIPMENT: On or about September 29 and October 2 and 3, 1950, from the State of Illinois into the States of Michigan, Wisconsin, Missouri, Indiana, Iowa, and Colorado.

LABEL, IN PART: "Euclid's Net Weight 2½ Oz. Jumbo Candy Bar."

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

DISPOSITION: April 30, 1951. Pleas of guilty having been entered, the court imposed a fine of \$800 against the corporation and \$200 against the individual defendant.

17252. Adulteration of candy. U. S. v. 179 Cases * * *. (F. D. C. No. 30218. Sample No. 69675-K.)

LIBEL FILED: December 29, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 5, 1950, by Happiness Candy Stores, Inc., from Buffalo, N. Y.

PRODUCT: 179 cases, each containing 12 boxes, of peppermint cream patties at Chicago, Ill.

LABEL, IN PART: "24 Count Wt. 1¾ Lbs. Curtiss Peppermint Cream Pattie."

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

DISPOSITION: April 11, 1951. Default decree of condemnation and destruction.

17253. Misbranding of candy. U. S. v. 5 Cases, etc. (F. D. C. No. 30181. Sample Nos. 90405-K, 90406-K.)

LIBEL FILED: December 5, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about November 3, 1950, by the Crouch Candy Co., from Bend, Oreg.

PRODUCT: 8½ cases, each containing 12 boxes, of candy at Seattle, Wash.

LABEL, IN PART: "24 Assorted Suckers 5 cents" and "24 Apple Suckers 5 cents."

NATURE OF CHARGE: Misbranding, Sections 403 (e) (1) and (2), (both lots) the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the

quantity of the contents; Section 403 (i) (2), the article was fabricated from two or more ingredients, and the label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), the article contained artificial coloring and flavoring, and it failed to bear labeling stating that fact.

Further misbranding, Section 403 (a), (apple suckers) the name "Apple" was misleading as applied to an article containing artificial apple flavor and no apple.

DISPOSITION: April 30, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

SIRUP

17254. Adulteration and misbranding of sorghum sirup. U. S. v. 100 Cases * * *. (F. D. C. No. 30219. Sample No. 84879-K.)

LIBEL FILED: On or about December 18, 1950, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 26 and November 16, 1950, by C. H. Owen, from Joplin, Mo.

PRODUCT: 100 cases, each containing 12 4½-pound cans, of sorghum sirup at Evansville, Ind.

LABEL, IN PART: "Sorghum Made of Cane Products."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, glucose, and sugar had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label designation "Sorghum Made of Cane Products" was false and misleading as applied to an article which was a mixture of sorghum, glucose, and sugar.

DISPOSITION: March 21, 1951. The Henry Bentley Product Co., Evansville, Ind., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

17255. Adulteration and misbranding of sorghum sirup. U. S. v. 55 Tins * * *. (F. D. C. Nos. 30553, 30554. Sample Nos. 15958-L, 15959-L.)

LIBEL FILED: February 13, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about November 30, 1950, and January 3, 1951, from Jefferson, Tex.

PRODUCT: Sorghum sirup. 55 4½-pound tins; 128 cases, each containing 12 4-pound tins; and 28 cases, each containing 6 8-pound tins, at Oklahoma City, Okla.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, glucose, and sugar had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label statement "Sorghum Made of Cane Products" was false and misleading as applied to an article which was a mixture of sorghum, glucose, and sugar.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: March 6, 1951. Clyde J. Gentry, Jefferson, Tex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.