

PRODUCT: 198 cartons each containing 100 candy bars at Kansas City, Mo.
LABEL, IN PART: "Net Weight 1½ Oz. Pecanola."
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.
DISPOSITION: February 13, 1951. Default decree of destruction.

17404. Adulteration of candy. U. S. v. 34 Cartons, etc. (F. D. C. No. 30833. Sample Nos. 7054-L, 7055-L.)

LIBEL FILED: February 19, 1951, Western District of Pennsylvania.
ALLEGED SHIPMENT: On or about January 5, 1951, by the P. S. Truesdell Co., from Columbus, Ohio.
PRODUCT: 34 22-pound cartons and 22 25-pound cartons of candy at Pittsburgh, Pa.

LABEL, IN PART: (Cartons) "Black Scotties" and "Cherry Jelly Hearts."
NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects in the "Black Scotties" and miscellaneous debris, such as rust, paint scales, threads, soot, and cinders in the "Cherry Jelly Hearts"; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.
DISPOSITION: March 14, 1951. Default decree of condemnation and destruction.

17405. Adulteration and misbranding of chocolate-dipped strawberries in cordial. U. S. v. Marlon Confections Corp. Plea of guilty. Imposition of sentence suspended. (F. D. C. No. 29180. Sample Nos. 57393-K, 57396-K.)

INFORMATION FILED: March 28, 1951, Southern District of New York, against the Marlon Confections Corp., New York, N. Y.
ALLEGED SHIPMENT: On or about October 21, 1949, from the State of New York into the State of Connecticut.
LABEL, IN PART: "Marlon Chocolate Double Dipped Strawberries in Cordial."
NATURE OF CHARGE: Adulteration, Section 402 (b) (2), the labels of the product indicated that the candy contained whole strawberries, when, in fact, artificially colored grapes had been substituted.
Misbranding, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to declare the presence of one of the ingredients by its common or usual name, i. e., grapes.
DISPOSITION: April 19, 1951. A plea of guilty having been entered, imposition of sentence was suspended.

SIRUP

17406. Misbranding and alleged adulteration of sorghum sirup. U. S. v. 216 Unlabeled 1-Gallon Cans * * *. (F. D. C. No. 30630. Sample No. 31257-L.)

LIBEL FILED: February 16, 1951, Eastern District of Arkansas.
ALLEGED SHIPMENT: On or about October 21, 1950, by G. E. Crocker, from Purvis, Miss.
PRODUCT: 216 unlabeled 1-gallon cans of sorghum sirup at Blytheville, Ark.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of corn sirup and sorghum had been substituted in whole or in part for sorghum, which the product was represented to be.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food; Section 403 (e), it was food in package form and 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; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: May 25, 1951, J. O. Baker and G. E. Crocker, claimants, having consented to the entry of a decree, the court made its findings that the product was misbranded within the meaning of Section 403 (e) in that the container failed to show the net contents thereof, and within the meaning of Section 403 (i) (2) in that the product was not labeled to show that it was fabricated from two or more ingredients and to show the common or usual name of each such ingredient. Consequently, judgment was entered condemning the product and ordering it released under bond for relabeling, under the supervision of the Food and Drug Administration.

17407. Adulteration and misbranding of sorghum sirup. U. S. v. 81 Cans * * *.
(F. D. C. No. 30711. Sample No. 31062-L.)

LIBEL FILED: March 16, 1951, Western District of Tennessee.

ALLEGED SHIPMENT: On or about September 15, 1950, by Jimmie Jones, from Conehatta, Miss.

PRODUCT: 81 cans, each containing 9½ pounds, of sorghum sirup at Memphis, Tenn. This product was shipped in unlabeled cans and was represented by the shipper as "Sorghum." At the time of the seizure, a portion had been relabeled by the consignee.

LABEL, IN PART: (Portion) "Genuine Mississippi Delta Sorghum 9½#."

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

Misbranding, Section 403 (b), It was offered for sale under the name of another food, sorghum; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient. Further misbranding (unlabeled portion), Sections 403 (e) (1) and (2), the product was food in package form, and it 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.

DISPOSITION: May 3, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

17408. Adulteration and misbranding of sorghum sirup. U. S. v. 82 Cans * * *.
(F. D. C. No. 30631. Sample No. 11155-L.)

LIBEL FILED: February 15, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 14, 1950, by Roy Lansaw, from Joplin, Mo.