

LABEL, IN PART: "Hickok's Honey Comb Chocolate Chips," "Spangler's Chocolate Covered Thin Mints," "Asst. Chocolates," or "Valentine Marshmallow Hearts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments, fly fragments, feather barbules, and rodent 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: August 13, 1951. Pleas of guilty having been entered, the court fined the corporation \$300 and the individual defendant \$100, plus costs.

17807. Adulteration of candy. U. S. v. Runkle Co. Plea of guilty. Fine of \$600, plus costs. (F. D. C. No. 31123. Sample Nos. 2879-L, 2880-L, 10964-L.)

INFORMATION FILED: August 7, 1951, Northern District of Ohio, against the Runkle Co., a corporation, Kenton, Ohio

ALLEGED SHIPMENT: On or about January 29 and 31, 1951, from the State of Ohio into the States of Indiana and West Virginia.

LABEL, IN PART: "Jane Ann Candies Coconut Bon Bons [or "Cream Peanut Cluster"]" or "Hand Dipped 'Morning Glory' Pure Coconut Bon Bons."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments and rodent 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: August 13, 1951. A plea of guilty having been entered, the court fined the defendant \$600, plus costs.

17808. Misbranding of candy. U. S. v. 50 Cases * * *. Contempt proceedings instituted against G. W. Mullaney, charging resistance to seizure; fine of \$50 imposed. Decree of condemnation entered against product. (F. D. C. No. 28357. Sample No. 50772-K.)

LIBEL FILED: November 18, 1949, District of Montana.

ALLEGED SHIPMENT: On or about October 18, 1949, by Mintco of California, from Los Angeles, Calif.

PRODUCT: 50 cases, each containing 60 boxes, of candy at Butte, Mont.

LABEL, IN PART: "Merry Christmas Talking Santa with 4 Big Lucky Candy Canes * * * Net Weight 4 Oz. or more."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Weight 4 Oz. or more" was inaccurate. (Examination showed that the article was short of the declared weight.)

DISPOSITION: Following the filing of the libel, the United States marshal attempted to make seizure of the product on November 18 and 22, 1949, but was advised by G. W. Mullaney, Walkerville, Mont., from whom the product was to be seized, that the product had been sold. Thereafter, information was obtained as to the location of the product, and seizure was effected on November 28, 1949. Subsequently, on the basis of additional evidence, G. W. Mullaney was charged with contempt of court. The defendant entered a