

21753. Adulteration and misbranding of coffee. U. S. v. 110 Cans * * *.
(F. D. C. No. 36568. Sample No. 75476-L.)

LABEL FILED: May 11, 1954, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about October 27, 1953, by Andrew's Coffee Co., Inc., from New York, N. Y.

PRODUCT: 110 1-pound cans of coffee at Norfolk, Va.

LABEL, IN PART: (Can) "Regular Grind Andrew's Superior Quality American Roast Coffee Net Wt. 1 Pound Vacuum Packed."

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; Section 402 (b) (2), a mixture of coffee and chickpeas had been substituted in whole or in part for coffee, which the article was represented to be; and, Section 402 (b) (4), chickpeas had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (a), the label statement "Superior Quality * * * Coffee" was false and misleading as applied to a mixture of ground roasted coffee and chickpeas.

DISPOSITION: July 22, 1954. Default decree of condemnation and destruction.

CANDY

21754. Adulteration of candy, shelled peanuts, and powdered buttermilk. U. S. v. Blumenthal Bros. Chocolate Co. Plea of nolo contendere. Fine, \$1,600.
(F. D. C. No. 36604. Sample Nos. 48165-L, 48166-L, 67381-L, 67384-L, 67385-L, 84440-L, 84453-L, 84454-L.)

INFORMATION FILED: February 1, 1955, Eastern District of Pennsylvania, against the Blumenthal Bros. Chocolate Co., a corporation, Philadelphia, Pa.

ALLEGED VIOLATION: Between the approximate dates of November 7, 1952, and January 8, 1954, while a quantity of shelled peanuts was being held for sale after shipment in interstate commerce, and between the approximate dates of May 19, 1953, and January 8, 1954, while a quantity of powdered buttermilk was being held for sale after shipment in interstate commerce, the defendant caused a number of bags of such products to be placed in a building that was accessible to rodents and caused such products to be exposed to contamination by rodents, which acts resulted in the products being adulterated.

On or about September 10, November 20, and December 1, 1953, and January 4, 1954, the defendant caused a number of boxes of candy, which was adulterated, to be introduced and delivered for introduction into interstate commerce.

LABEL, IN PART: (Box) "Milk Chocolate Covered Raisinets Net Wt. 1 Oz.," "Pure Chocolate Coated Malted Milk Balls Net Wt. 7/8 Oz.," "Buddy Bar 120 Count 1c," "Malties Net Wt. 6 Oz. Chocolate Malted Milk Balls," and "Sno-Caps Net Wt. 7 Oz."

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, rodent hairs, rodent excreta, and rodent urine; and, Section 402 (a) (4), the shelled peanuts and powdered buttermilk had been held, and the candy had been prepared and packed, under insanitary conditions whereby they may have become contaminated with filth.