

CHOCOLATE, CONFECTIONERY, AND SUGAR**CHOCOLATE AND COCOA**

30137. Unsweetened chocolate. (F.D.C. No. 51144. S. Nos. 49-150/1 B.)

QUANTITY: 45 cases, each containing 6 10.7-lb. cakes, and 6 60-lb. cases, at Dunkirk, N.Y., in possession of Nog, Inc.

SHIPPED: 6-26-63 and 9-20-62, from New York, N.Y., and Newark, N.J., after having been imported into the United States from the Dominican Republic and from Haiti, respectively.

LIBELED: 3-10-65, W. Dist. N.Y.

CHARGE: 402(a)(3)—contained insect larvae, insect parts, insect excreta, and insect webbing; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 4-29-65. Default—destruction.

30138. Cocoa beans. (F.D.C. No. 51167. S. No. 20-072 B.)

QUANTITY: 200 160-lb. bags, at San Francisco, Calif., in possession of Haslett Warehouse Co.

SHIPPED: 5-7-63, from Apia, Samoa.

LIBELED: 4-15-65, N. Dist. Calif.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 5-20-65. Consent—claimed by Ernest Adler Co., Inc. Segregated; 4,183 lbs. destroyed.

CONFECTIONERY

30139. Chocolate-coated peanuts. (F.D.C. No. 50922. S. Nos. 52-647 A, 52-649 A.)

QUANTITY: 28 cases, each containing 12 7¼-oz. boxes, and 61 cases, each containing 12 1-lb. bags, at Akron, Ohio.

SHIPPED: 11-17-64 and 12-2-64, from Oklahoma City, Okla., by Bunte Candies, Inc. (formerly Walter Williams Candy Co.).

LABEL IN PART: (Box) "Bunte Dipped Peanuts Pure Milk Chocolate * * * manufactured by Walter Williams Candy Co., Oklahoma City, Okla."; and (bag) "Bunte Pure Milk Chocolate Covered Chocolate Dipped Peanuts * * * manufactured by Bunte Candies, Inc. Oklahoma City, Oklahoma."

LIBELED: 1-18-65, N. Dist. Ohio.

CHARGE: 402(a)(3)—contained insect fragments and rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 2-26-65. Default—destruction.

30140. Candy. (F.D.C. No. 51031. S. Nos. 38-787/89 A, 41-692/93 A, 41-695 A.)

INFORMATION FILED: 2-26-65, W. Dist. Okla., against Clayton Bingenheimer, t/a D&B Sales, Clinton, Okla.

ALLEGED VIOLATIONS: Between 4-10-64 and 7-14-64, the defendants caused candy to be placed in a building accessible to insects and exposed to contamination by insects, which acts resulted in the food being adulterated.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-6-65. \$150 fine.

30141. Candy. (F.D.C. No. 50615. S. Nos. 42-438/9 X, 67-273 X, 74-246 X.)

INFORMATION FILED: 1-12-65, N. Dist. Tex., against Matthews Candy Co., a corporation, Dallas, Tex., and Ivan A. Matthews, Sr., president.

SHIPPED: Between 11-4-63 and 11-18-63, from Texas, to Missouri, Virginia, and New Jersey.

LABEL IN PART: (Bag) "KoKo-Nut Krisp Half Pound * * * Ingredients: Sugar, Corn Syrup, Pop Corn, Coconut, Peanuts, Vegetable Oil, Dairy Butter, Lecithin, Imitation Vanilla, Oat Flour. Matthews Candy Co. Dallas, Texas"; and (bag) "Matthews Crunchet * * * Ingredients: Sugar, Corn Syrup, Pop Corn, Peanuts, Salt, Bicarbonate of Soda, Dairy Butter, Imitation Vanilla, Oat Flour * * * Matthews Candy Co., Olympia, Wash., Dallas, Texas."

CHARGE: 402(a)(3)—contained rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty by Matthews Candy Co. to 3 counts; by Ivan A. Matthews to 1 count.

DISPOSITION: 4-8-65. Matthews Candy Co.—\$500 fine, and probation for 1 year; Ivan A. Matthews—\$250 fine.

30142. Candy. (F.D.C. No. 50963. S. Nos. 111-649/51 A.)

QUANTITY: 75 cases, each containing 12 7-oz. pkgs. of chocolate peanut clusters, 78 cases, each containing 12 5-oz. pkgs. of cashew clusters, 50 cases, each containing 12 7¼-oz. pkgs. of chocolate dipped peanuts, at Dallas, Tex.

SHIPPED: 11-17-64 and 11-14-64, from Oklahoma City, Okla., by Bunte Candies, Inc. (formerly Walter Williams Candy Co.).

LABEL IN PART: (Case) "Milk Choc Peanut Clusters * * * Mfg. by Bunte Candies, Inc., Oklahoma City, Oklahoma"; "Cashew Clusters * * * Mfg. by Bunte Candies, Inc., Oklahoma City, Oklahoma"; "Chocolate Dipped Peanuts * * * Mfg. by Bunte Candies, Inc., Oklahoma City, Oklahoma."

LIBELED: 12-31-64, N. Dist. Tex.

CHARGE: 402(a)(3)—when shipped, the peanut clusters contained rodent hairs, the cashew clusters contained insect fragments, and the chocolate dipped peanuts contained insects, insect larvae, and insect fragments.

DISPOSITION: 1-13-65. Consent—destruction.

SUGAR

30143. Raw sugar. (F.D.C. No. 51070. S. Nos. 38-741 B, 38-743/44 B.)

QUANTITY: 10,000 lbs., in 76 reused bags, at Brooklyn, N.Y.

SHIPPED: 3-5-64, from Manila, P. I.

RESULTS OF INVESTIGATION: The sugar was shipped in bulk by ship and was contaminated by sea water accidentally taken into the hold; the sugar was bagged while still wet.

LIBELED: 3-3-65, E. Dist. N.Y.

CHARGE: 402(a)(3)—while held for sale, contained insects and insect fragments, and was unfit for food because of contamination by sea water and the presence of wood splinters, stones, and metal fragments.

DISPOSITION: 4-12-65. Default—destruction.