

ALLEGED SHIPMENT: On or about February 12, 1948, by the George W. Wride Co., Altadena, Calif.

PRODUCT: 54 cases, each containing 6 cartons of 48 2-ounce candy Easter eggs each, at Honolulu, T. H.

LABEL, IN PART: "48 2 Oz. Easter Eggs."

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

Misbranding, Sections 403 (e) (1) and (2), the product 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 (the candy eggs weighed less than 2 ounces, the declared weight); and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: March 16, 1949. Default decree of condemnation and destruction.

14370. Misbranding of candy. U. S. v. 61 Boxes * * *. (F. D. C. No. 25822. Sample No. 9949-K.)

LABEL FILED: October 13, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about September 15, 1948, by Jack Newberg Co., Inc., from New York, N. Y.

PRODUCT: 61 boxes, each containing 48 packages, of candy at Newark, N. J.

LABEL, IN PART: (Package) "Ducky Stripe Chocolate Flavored Cigarettes Net Wt. 1¼ Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since four additional sticks of candy could easily be placed in each package; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-weight.)

DISPOSITION: March 22, 1949. Default decree of condemnation. The product was ordered delivered to charitable organizations.

14371. Misbranding of candy. U. S. v. 3 Cases, etc. (F. D. C. No. 26622. Sample Nos. 2775-K, 2776-K.)

LABEL FILED: February 24, 1949, District of Columbia.

ALLEGED SHIPMENT: On or about January 10, 1949, by the Phoenix Candy Co., from Brooklyn, N. Y.

PRODUCT: 19 bags and 3 cases, each case containing 24 bags, of candy at Washington, D. C.

LABEL, IN PART: (Bags) "Net Weight One Pound Phoenix Assorted Toffee," and "Phoenix Rum and Butter Toffee * * * Net Wt. 1 Lb."; (individual pieces of Assorted Toffee) "Rum and Butter Toffee Artificial Flavor," "Maple Flavor Toffee Artificial Flavor," and "Cocoanut Flavor Toffee Artificial Flavor."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Rum and Butter," "Maple Flavor," and "Cocoanut Flavor," were false and misleading as applied to the articles, which contained artificial rum flavor and little or no butter, artificial maple flavor, and artificial coconut flavor, respectively; and, Section 403 (e) (2), the articles failed to bear labels containing an