

## SACCHARINE PRODUCTS

## CANDY

**136. Misbranding of chocolate candy. U. S. v. 48 Boxes and 45 Boxes of Chocolates. Default decrees of condemnation. Product ordered delivered to charitable institutions.** (F. D. C. Nos. 323, 324. Sample Nos. 52613-D, 52614-D, 52761-D, 52762-D.)

The containers of this candy were deceptive because they had false bottoms and because the second layer was packed with a cardboard device in such manner as to contain fewer pieces of candy than would be the case if the device were not used, e. g., the top layer of the first box sampled contained 22 pieces and the bottom layer contained only 12 pieces. There was some variation in count in the boxes sampled.

On July 28, 1939, the United States attorney for the Western District of New York filed two libels (amended August 1, 1939) praying seizure and condemnation of 93 boxes of chocolates at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about July 7, 1939, by Liberty Chocolate Co. from Boston, Mass.; and that it was misbranded. The article was labeled in part: "Netcraft Special Assortment"; or "Lady Blue Chocolates."

It was alleged to be misbranded in that its container was so made, formed, and filled as to be misleading.

On August 30, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

Nos. 137 to 146, inclusive, of this publication report the seizure and disposition of candy that was in interstate commerce and was found to be insect-infested at the time of examination.

**137. Adulteration of candy. U. S. v. 28 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 259. Sample No. 62458-D.)

On July 10, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 28 boxes of candy at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about March 1, 1939, by I. Marchiony, Inc., from Newark, N. J.; and charging that it was adulterated in that it consisted wholly or in part of a filthy vegetable substance. It was labeled in part: "Marchiony's Coconut Slabs."

On October 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**138. Adulteration of candy. U. S. v. 15 Boxes and 21 Cartons of Candy. Default decrees of condemnation and destruction.** (F. D. C. Nos. 282, 283. Sample Nos. 66156-D, 66157-D.)

On July 11, 1939, the United States attorney for the Middle District of Georgia filed a libel against 15 boxes and 21 cartons of candy at Macon, Ga., alleging that the article had been shipped in interstate commerce on or about September 9, 1938, and April 5, 1939, by the Paul F. Beich Co. from Chicago and Bloomington, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy vegetable substance. It was labeled in part: "Beich Dipsy Doodle Pecan Cashew Roll"; or "Beich Whiz."

On August 26, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**139. Adulteration of candy. U. S. v. 31 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 315. Sample No. 60922-D.)

On July 27, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 31 boxes of candy at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about February 9, 1939, by Blumenthal Bros. from Philadelphia, Pa.; and charging that it was adulterated in that it consisted wholly or in part of a filthy vegetable substance. It was labeled in part: "Chocolate Snaps with peanuts."

On October 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**140. Adulteration of candy. U. S. v. 31 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 316. Sample No. 60923-D.)

On July 27, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 31 boxes of candy at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about January

30, 1939, by Ambrosia Chocolate Co. from Milwaukee, Wis.; and charging that it was adulterated in that it consisted wholly or in part of a filthy vegetable substance. It was labeled in part: "Ambrosia One Cent Chocolate Cigars with Ground Nuts."

On October 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**141. Adulteration of candy. U. S. v. 18 Boxes and 10 Boxes of Candy. Default decrees of condemnation and destruction.** (F. D. C. Nos. 325, 326. Sample Nos. 61001-D, 61002-D.)

On July 29, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 28 boxes of candy at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about March 28 and May 18, 1939, by Hollywood Candy Co. from Centralia, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy vegetable substance. It was labeled in part: "Red Sails Candy Divinity Chocolate Nougat Pecans and Choice Milk Chocolate"; or "Zero The Original Malted Milk Coated Candy Bar."

On October 19, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**142. Adulteration of candy. U. S. v. 36 Cartons and 62 Boxes of Candy. Default decrees of condemnation and destruction.** (F. D. C. Nos. 335, 493. Sample Nos. 62597-D, 69604-D.)

On August 1 and 23, 1939, the United States attorneys for the District of Columbia and the Southern District of Texas filed libels against 36 cartons of candy at Washington, D. C., and 62 boxes of candy at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about January 9 and June 16, 1939, by the Schutter Candy Co. from Brooklyn, N. Y., and Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Schutter's Bit-O-Honey Sugar Toasted Almonds"; or "Schutters Golden Harvest."

On August 24 and September 27, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**143. Adulteration of candy. U. S. v. 25 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 388. Sample No. 63131-D.)

On or about August 12, 1939, the United States attorney for the Southern District of Texas filed a libel against 25 boxes of candy at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about January 14, 1939, from Reading, Pa., by Luden's, Inc.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "5th Avenue Penny Bar."

On September 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**144. Adulteration of candy. U. S. v. 28 Cartons of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 475. Sample No. 63130-D.)

On or about August 24, 1939, the United States attorney for the Southern District of Texas filed a libel against 28 cartons of candy at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about November 5, 1938, by the Chicago Candy Association from Chicago, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Bunte Chicago Tangos."

On September 27, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**145. Adulteration of candy. U. S. v. 31 Cartons of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 568. Sample No. 62600-D.)

On September 7, 1939, the United States attorney for the Southern District of Texas filed a libel against 31 cartons of candy at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about November 8, 1938, and March 2, 1939, by Pelican State Candy Co. from New Orleans, La.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Pelican Brand Candies \* \* \* Hollywood Squares."

On October 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.