incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

Between June 3 and July 31, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1384. Adulteration and misbranding of candy. U. S. v. 12 Jars and 11 Boxes of Candy (and 3 other seizure actions against candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 2558, 3250, 3276, 3360. Sample Nos. 20430–E, 20431–E, 20499–E, 20297–E, 20298–E, 37423–E.)

This product contained rodent hairs and insect fragments. The labeling of one lot failed to declare the presence of artificial color and also failed to bear a statement of the ingredients as required by law.

On or about August 21, October 22 and 23, and November 12, 1940, the United States attorneys for the Southern District of Florida, Western District of North Carolina, Middle District of North Carolina, and Western District of South Carolina filed libels against 12 jars and 11 boxes of candy at West Palm Beach, Fla.; 38 boxes of candy at Shelby, N. C.; 29 boxes of candy at Fort Mill, S. C.; and 31 boxes of candy at Winston Salem, N. C., alleging that the article had been shipped in interstate commerce within the period from on or about July 27 to October 19, 1940, by Carstarphen, Inc., from Macon, Ga.; and charging that it was adulterated and misbranded. The article was variously labeled: "2/1¢ mint balls"; "1¢ mint pillows"; "1¢ Asst. Capt. Jack"; and "1¢ Sno-Jo."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

The product labeled "Mint Balls" was alleged to be misbranded in that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each such ingredient; and in that it contained artificial coloring and did not bear labeling stating that fact.

Between December 10 and December 17, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1385. Adulteration and misbranding of candy. U. S. v. 49 Boxes of Unlabeled Candy. Default decree of condemnation and destruction. (F. D. C. No. 2272. Sample No. 20589–E.)

This product was adulterated because of the presence of rodent hairs and insect fragments, and it was misbranded because it was not labeled as required by the law.

On June 25, 1940, the United States attorney for the Middle District of Georgia filed a libel against 49 boxes of candy at Albany, Ga., alleging that the article had been shipped in interstate commerce on or about June 12, 1940, by the Queen City Candy Co. from Charlotte, N. C.; and charging that it was adulterated and misbranded.

The article was aleged to be adulterated in that it consisted wholly or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have became contaminated with filth.

It was alleged to be misbranded in that it was in package form and did not contain the name and place of business of the manufacturer, packer, or distributor nor an accurate statement of the quantity of the contents. It was alleged to be misbranded further in that it was fabricated from two or more ingredients and did not bear the common or usual name of each such ingredient; and in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On August 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1386. Misbranding of candy. U. S. v. 29 Boxes of Candy. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 3080. Sample No. 33798–E.)

This product was artificially flavored and colored. Moreover, the boxes which contained from 15 to 20 pieces of candy wrapped in waxed paper, could have held from 7 to 12 additional pieces.

On September 24, 1940, the United States attorney for the District of New Jersey filed a libel against 29 boxes of candy at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about July 10 and August 8, 1940, by the Up-to-Date Candy Mfg. Co. from New York, N. Y.;