of Columbia filed libels against 116 boxes of candy at Chambersburg, Pa., 40 boxes at Staunton, Va., and 411 cartons and 88 boxes at Washington, D. C., alleging that the article had been shipped in interstate commerce within the period from on or about July 29 to on or about September 18, 1941, by the Voneiff-Drayer Co. from Baltimore, Md.; and charging that it was adulterated. Portions of the article were variously labeled: "Miss America * * * Rainbows [or "Big Drops," "Caramels," "Big Cees," "Chocolate Pegs," "Madame Queen Fingers," or "Chocolate Mints" or "Chocolate Covered Whipped Creams" or "Chocolate Logs"]." The remainder was labeled in part: "Chocolate Peppermints 5¢ * * * Packed Expressly For The Peoples Drug Stores, Inc. Washington, D. C."

The article 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.

Between October 29 and December 31, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3411. Adulteration and misbranding of candy. U. S. v. 199 Boxes and 235 Boxes of Candy (and 2 other seizures of candy). Decrees of condemnation and destruction. (F. D. C. Nos. 6865, 6871. Sample Nos. 75838–E, 75839–E, 90157–E, 90627–E.)

Examination showed that this product contained hairs resembling those of rodents. Furthermore, all lots but one were deceptively packaged, and one of these also was short of the declared weight.

On February 14 and 17 and March 6, 1942, the United States attorneys for the District of Maine and the District of Vermont filed libels against 434 1-pound boxes of candy at Portland, Maine, and 14 1-pound boxes and 18½ cases each containing 24 1-pound boxes of candy at White River Junction, town of Hartford, Vt., alleging that the article had been shipped in interstate commerce on or about January 19, 26, and 27, and February 10, 1942, by William's Candy Co. from Somerville, Mass.; and charging that it was adulterated and that all lots but one were misbranded. It was labeled in part: "Farm-Hill Candies Chocolates & Bon-Bons [or "Assorted Chocolates"]."

The article 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.

All lots but one (9½ cases at White River Junction) were alleged to be misbranded in that the container was so filled as to be misleading, since the candy did not occupy a reasonable amount of the available space. The lot at Portland, Maine, was alleged to be misbranded further in that the statement "Net Weight One Pound" was false and misleading as applied to an article that was short weight; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On March 13 and May 15, 1942, no claimant having appeared, judgments were entered ordering that the product be destroyed.

3412. Misbranding of candy. U. S. v. 354 Boxes of Candy. Default decree of condemnation and forfeiture. Product ordered distributed to charitable institutions. (F. D. C. No. 7026. Sample No. 90448–E.)

Examination showed that the boxes containing this candy were not filled to their capacity.

On March 13, 1942, the United States attorney for the District of Rhode Island filed a libel against 354 boxes of candy at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about February 21, 1942, by the Royal Confectionery Co. from Boston, Mass.; and charging that it was misbranded in that its container was so filled as to be misleading since the bottom layer contained only about half as much candy as the top layer. The article was labeled in part: "Mary Talbot Assorted Chocolates * * * Hand Fashioned One Pound Net."

On April 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.

MISCELLANEOUS

3413. Adulteration of sugar. U. S. v. 25 Sacks of Sugar. Default decree of destruction. (F. D. C. No. 4730. Sample No. 4341-8–E.)

This product had been stored under insanitary conditions after shipment and when examined it was found that the sacks had been torn and gnawed by rats and contained an accumulation of rat pellets and bird droppings.