LABEL IN PART: (Candy bar) "Caramel Marshmallow Bar Net Weight 1¾ Oz. * * * Made by: The Chocolate House, Inc., Milwaukee, Wisconsin."

RESULTS OF INVESTIGATION: Examination showed that the article was 5.7 percent short weight.

LIBELED: 10–25–65, E. Dist. Va.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 11–24–65. Default—delivered to a public institution for human consumption.

30637. Butter mints. (F.D.C. No. 50565. S. No. 54–626 A.)

QUANTITY: 103 cases, each containing 24 8-oz. bags, at Topeka, Kans.

SHIPPED: 8–13–64, from Philadelphia, Pa., by Thomas D. Richardson Co.

LABEL IN PART: (Bag) "Tru-Vu Brand Butter Mints * * * Distributed by The Fleming Company, Inc. * * * Topeka, Kansas."

RESULTS OF INVESTIGATION: Examination showed the article to be small, square, pale-yellow colored candy mints contained in a clear plastic bag, on which the distributor's name and address, the quantity of contents statement, and the statement of the ingredients was printed in white ink which was inconspicuous against the product in the bag.

LIBELED: 9–15–64, Dist. Kans.

CHARGE: 403(f)—when shipped, the information required to appear on the label under 403(e) (1) and (2), and 403(i)(2), namely, the name and place of business of the manufacturer, packer, or distributor, the quantity of contents statement, and the common or usual name of each ingredient, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) as to have rendered it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 11–27–64. Consent—claimed by the Fleming Co., Inc., and repackaged and relabeled.

30638. Candy. (F.D.C. No. 52500. S. No. 75–049/50 B.)

QUANTITY: 52 cases, each containing 36 8-oz. pkgs., at Milwaukee, Wis.

SHIPPED: 3–15–66 and 3–21–66, from Chicago, Ill., by Charland Candy Manufacturing Co.

LABEL IN PART: (Pkg.) "Barg & Foster Old Fashioned Sheet Caramel * * * Packed By Barg & Foster Candy Co., Milwaukee 4, Wis."

LIBELED: 4–19–66, E. Dist. Wis.

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

DISPOSITION: 4–26–66. Consent—destruction.

30639. Candy for ice cream flavoring. (F.D.C. No. 52019. S. No. 42–489 B.)

QUANTITY: 8 30-lb. ctns. at Kosciusko, Miss.

SHIPPED: 10–27–65, from Fort Worth, Tex., by Parker's Products, Inc.

LABEL IN PART: (Ctn.) "Pangburn's Candy Ice Cream Flavors * * * Lemon Flake * * * Distributed by Parker's Products, Inc., * * * Fort Worth 9, Texas."