Chocolate Nonpareils (bulk and repack), 403(a)—the labeling, namely, the repack label, made statements which represented and suggested that the article contained peanuts, coconut oil, gelatin, baking soda and artificial coloring, which statements were false and misleading since they were contrary to fact; and 403(i)(2)—the label failed to bear the common or usual name of each ingredient.

DISPOSITION: 12-12-62. Default—delivered to a civic organization for charitable purposes.

28734. Butterscotch chips (candy). (F.D.C. No. 48300. S. No. 94-429 T.)

QUANTITY: 49 cases, 24 6-oz. pkgs. each, at Minneapolis, Minn.

SHIPPED: Between 7-27-62 and 8-9-62, from Milwaukee, Wis.

LABEL IN PART: (Pkg.) "QUALITY PAK BUTTERSCOTCH CHIPS * * * DISTRIBUTED BY UNITED PACKING SERVICE, MINNEAPOLIS, MINNESOTA INGREDIENT * * * EMULSIFIER."

RESULTS OF INVESTIGATION: Examination showed that the article contained imitation maple flavor, artificial butter flavor, and little or no butter. The article was shipped in bulk to the United Packing Service where it was repacked into the above-mentioned packages.

LIBELED: 10-5-62, Dist. Minn.

CHARGE: 403(a)—while held for sale, the name "Butterscotch chips" was false and misleading as applied to an artificially flavored product containing little or no butter; and 403(i)(2)—the label failed to bear the common or usual name of each ingredient, since the term "EMULSIFIER" was not the common or usual name of an ingredient.

DISPOSITION: 1-9-63. Consent—claimed by United Packaging Co., Inc., Minneapolis, Minn., and relabeled.

28735. Candy. (F.D.C. No. 48488. S. No. 16-746 V.)

QUANTITY: 7 cases, each containing 24 1-lb. boxes, at Chattanooga, Tenn.

SHIPPED: 10-18-62, from St. Louis, Mo., by Purity Candy Co.

LABEL IN PART: (Box) "Purity Candy Co. St. Louis, Mo."

LIBELED: 12-14-62, E. Dist. Tenn.

CHARGE: 402(a)(3)—contained insects, insect larvae, insect parts, and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-15-63. Default—destruction.

28736. Candy. (F.D.C. No. 48478. S. No. 34-217 V.)

QUANTITY: 47 cases, containing 24 9½-oz. bags each, and 44 9½-oz. bags, at Hopkins, Minn.

SHIPPED: 9-26-62, from Chicago, Ill., by Wolch Nut & Candy Co.

LABEL IN PART: (Bag) "Wolch's Rum Eclairs * * * Ingredients: * * * Natural and Artificial Flavors * * * Dist. by Wolch Nut & Candy Co. Chicago, Ill."

LIBELED: 12-14-62, Dist. Minn.