DISPOSITION: 7–12–62. Default—destruction.

28231. Tootsie Rolls (candy). (F.D.C. No. 47606. S. No. 32–716 T.)

QUANTITY: 52 cartons, each containing 24 1⅜-oz. individually wrapped candy bars, at Phoenix, Ariz.

SHIPPED: 1–30–62, from Los Angeles, Calif., by Sweets Company of America, Inc.

LABEL IN PART: (Candy wrapper) "Chocolate Tootsie Roll * * * Ingredients: * * * The Sweets Company of America, Inc. Hoboken, N.J."

LIBELED: 5–17–62, Dist. Ariz.

CHARGE: 402(a)(3)—contained rodent hairs when shipped.

DISPOSITION: 7–9–62. Default—destruction.

28232. Licorice candy. (F.D.C. No. 47185. S. No. 13–909 T.)

QUANTITY: 86 cases, 16 pkgs. each, containing 6 individual bars each, at Chicago, Ill.

SHIPPED: Between 11–27–61 and 1–19–62, from St. Louis, Mo., by Switzer's Licorice Co.

LABEL IN PART: (Pkg.) "6 Pack Switzer's Old Fashioned Licorice"; (individual bar) "Calorie Conscious? Switzer's Licorice Switzer's Licorice Company, St. Louis, Mo. * * * Net Wt. 1³⁄₁₆ Oz."

RESULTS OF INVESTIGATION: The candy bars were packed face up in an open tray type package which was wrapped and sealed in cellophane so that it could not be opened at the time of purchase and the mandatory information which was printed on the back of each candy bar, was not visible because of the cardboard back of the package.

LIBELED: 3–1–62, N. Dist. Ill.

CHARGE: 403(a)—when shipped, the label statement "Calorie Conscious?" was false and misleading in that it suggested and implied that the article was of unusual value for calorie controlled diets because it was low in calories; 403(f)—the place of business of the manufacturer, packer, or distributor, an accurate statement of the quantity of the contents, the common or usual name of each ingredient, and the declaration of preservative, were not prominently placed on the article with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6–20–62. Consent—claimed by Switzer Licorice Co., and delivered to a charitable institution.

28233. Terry's candy corn. (F.D.C. No. 47584. S. No. 43–955 T.)

QUANTITY: 59 cases, each containing 100 boxes, at Philadelphia, Pa.

SHIPPED: Between 3–27–62 and 4–17–62, from Elizabeth, N.J., by Terry Candy Co.

LABEL IN PART: (Box) "Terry's Candy Corn Net Wt. 1¼ Oz. * * * Terry Candy Co., Elizabeth, New Jersey."

RESULTS OF INVESTIGATION: The manufacturer's name and address, the statement of ingredients, and declaration of artificial color and flavor were partly illegible due to the blurring of the print.