bar) "Net Weight Half Pound Sweet Chocolate Cortes Manufactured for: Sucrs. Pedro Cortes, Inc. San Juan, Puerto Rico."

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

LIBELED: 3-9-62, E. Dist. N.Y.

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

DISPOSITION: 5-22-62. Consent—claimed by Goya Foods, Inc., and released under bond for relabeling.

28064. Fruit Nibble Stix (candy). (F.D.C. No. 46099. S. No. 80-661 R.)

QUANTITY: 25 cases, each containing 12 boxes containing an inner plastic container of individually wrapped pieces of candy of various flavors, at Boston, Mass.

SHIPPED: 4-4-61 and 5-27-61, from Chicago, Ill., by Flavour Candy Co.

LABEL IN PART: (Lid of plastic container) "Flavour Fruit Nibble Stix Creme Filled Ingredients: * * * Net Wt. 1 Lb. Flavour Candy Co., Chicago 12, Ill."

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

LIBELED: 7-24-61, Dist. Mass.

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

DISPOSITION: 10-2-61. Default—delivered to a charitable institution.

28065. Roxbury brand candies. (F.D.C. No. 47559. S. Nos. 53-395/97 T.)

QUANTITY: 61 cases, 24 bags each, of peanut clusters; and 29 cases, 24 bags each, of toffee, at Bellevue, Wash.

SHIPPED: 1-12-62 and 3-16-62, from San Jose, Calif., by Safeway Stores, Inc.

LABEL IN PART: (Bag) "Roxbury Peanut Clusters Net Wt. 14 Oz. [or "Roxbury Imported Toffee" Net Wt. 9 Oz.] Ingredients: * * * Distributed By Safeway Stores, Incorporated Head Office—Oakland, California."

RESULTS OF INVESTIGATION: Examination showed that the peanut clusters were chocolate-covered peanuts, that the toffee consisted of individually wrapped pieces of candy in highly colored, metallic-type paper of various colors, each piece labeled as to name of product, and that both articles were contained in clear plastic bags on which the information required to appear on the label was inconspicuous against the wrapped or unwrapped candy in the background.

LIBELED: On or about 4-26-62, W. Dist. Wash.; amended libel 5-3-62.

CHARGE: 403(f)—when shipped, the information required by 403 (e)(1), (e)(2), (i)(2), and (k) to appear on the label, namely, the name and address of the manufacturer, packer, or distributor, an accurate statement of the quantity of contents, the common or usual name of each ingredient, and the declaration of artificial flavors and (toffee) colors, was not prominently placed on the label 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: 5-29-62. Consent—claimed by Safeway Stores, Inc., and released under bond for relabeling.