CHARGE: 402(a)(1)—when shipped, the article contained a deleterious substance, pointed wooden sticks, which may have rendered it injurious to health.

DISPOSITION: 1–21–60. Consent—delivered to a public institution after removal of the pointed sticks from the article.

27086. Candy (malted milk balls). (F.D.C. No. 45136. S. No. 42–014 R.)

QUANTITY: 106 cases, each containing 20 boxes, each box containing 240 candy balls, at San Francisco, Calif.

SHIPPED: Between 8–22–60 and 10–4–60, from Chicago, Ill.

LIBELED: 11–9–60, N. Dist. Calif.

CHARGE: 402(a)(3)—contained moldy, decomposed candy while held for sale.

DISPOSITION: 11–23–60. Consent—claimed by Leaf Brands, Inc., Chicago, Ill. Segregated; 5 cases destroyed.

27087. Liquor candies. (F.D.C. No. 45311. S. Nos. 40–660 R, 55–061 R.)

QUANTITY: 5 cases, 24 1-lb. boxes each, of liquor wafers, and 2 cases, 24 1-lb. boxes each, of liquor candies, at St. Louis, Mo.

SHIPPED: 11–9–60, from Cincinnati, Ohio, by Reinhart's.

LABEL IN PART: (Box) "Ohio's Famous Liqueur Wafers * * * Reinhart's, Cincinnati * * * Ingredients: * * * Blackberry Brandy 70 Proof—Apricot Brandy 70 Proof—Peach Brandy 70 Proof Sloe Gin 60 Proof, and Cointreau 80 Proof" and "Ohio's Famous Liquor Candies * * * Reinhart's, Cincinnati * * * Ingredients: * * * 100 Proof Bonded Bourbon, 86.8 Proof Scotch, 90 Proof Rum, and 70 Proof Creme de Menthe."

ACCOMPANYING LABELING: Leaflets in box reading in part "That you may know * * * A taste will convince you of the outstanding and unique quality in both liquors and liqueurs with their bonded Bourbon, imported Rum and Scotch, aromatic Creme de Menthe, Apricot, Peach and Blackberry Brandy or the exotic Cointreau and Sloe Gin," and "That you may know * * * A taste will convince you of the outstanding and distinctive quality—with its 100 proof bonded Bourbon; its imported Rum and Scotch; and its aromatic Creme de Menthe."

RESULTS OF INVESTIGATION: Examination showed that the articles contained (Liqueur Wafers) 0.15 percent alcohol by volume, and (Liquor Candies) 0.23 percent alcohol by volume.

LIBELED: 12–29–60, E. Dist. Mo.

CHARGE: 403(a)—when shipped, the labeling of the articles contained statements which represented and suggested that the articles contained (Liqueur Wafers) Apricot, Peach and Blackberry Brandies, Cointreau and Sloe Gin, and (Liquor Candies) Bourbon, Rum, Scotch, and Creme de Menthe; which statements were false and misleading as applied to these articles which contained no significant amounts of alcohol.

DISPOSITION: 1–30–61. Default—destruction.

27088. Candy. (F.D.C. No. 43241. S. No. 32–319 P.)

INFORMATION FILED: 12–4–59, Dist. Mass., against Deran Confectionery Co., Inc., Cambridge, Mass.

SHIPPED: 10–17–58, from Cambridge, Mass., to New York, N.Y.

LABEL IN PART: "Deran Confectionery Co., Inc. * * * Nut Chocolate."