DISPOSITION: August 11, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8159. Adulteration and misbranding of candy. U. S. v. 39 Boxes and 78 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 16337. Sample Nos. 632–H, 633–H.)

LIBEL FILED: June 6, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about May 11, 1945, by F. H. Seelye, from Charlotte, N. C.

PRODUCT: 39 boxes, each containing 30 bars, and 78 boxes, each containing 120 pieces, of candy at Atlanta, Ga.

LABEL, IN PART: "United Candies Chocolate Bar [or "Chocolate Square"] * * * United Candy Co., Charlotte, N. C."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, chocolate, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a) the names "Chocolate Bar" and "Chocolate Square" were false and misleading since the article contained no chocolate; and, Section 403 (k), it contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: July 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8160. Adulteration and misbranding of candy. U. S. v. 37 Cases and 20 Cases of Candy. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 15927. Sample Nos. 27443–H, 27444–H.)

LIBEL FILED: April 24, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about March 7 and 12, 1945, by the California Fruit Chimes Co., from San Gabriel, Calif.

PRODUCT: 37 cases, each containing 48 5-ounce packages, and 20 cases, each containing 24 1-pound packages, of candy at Medford, Oreg. Examination showed that the packages contained irregular pieces of candy, leaving an excessive amount of unfilled space in the packages.

LABEL, IN PART: "Spanish Nut Toffee * * * Made with Sugar, Puffed Rice, Peanuts."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a mixture containing peanuts and puffed rice had been substituted for Spanish nut toffee, which the article was represented to be.

Misbranding, Section 403 (d), the container was so filled as to be misleading since there was an excessive amount of unfilled space in the package, and thus the package appeared to hold more candy than was actually present.

DISPOSITION: June 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

8161. Misbranding of candy. U. S. v. 76 Boxes of Candy. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 16477. Sample No. 27400–H.)

LIBEL FILED: June 18, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about May 1, 1945, via automobile of Western Candy Co., Portland, Oreg.

PRODUCT: 76 boxes, each containing 60 cartons, of candy at Vancouver, Wash.

LABEL, IN PART: "Black Beauties English Style Licorice Candy."

VIOLATION CHARGED: Misbranding Section 403 (d), the container of the product was so filled as to be misleading since at least three additional pieces of candy could have been placed therein.

DISPOSITION: July 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

8162. Misbranding of candy. U. S. v. 249 Cases of Candy. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16631. Sample No. 7085–H.)

LIBEL FILED: June 20, 1945, Eastern District of New York.

ALLEGED SHIPMENT: On or about May 17, 1945, by Nat Newman, Inc., from Atlantic City, N. J.