

the normal minimum daily requirement" was false and misleading; and 403 (k)—when shipped, the article contained a chemical preservative, sodium benzoate, and its labeling failed to state the fact that it contained a chemical preservative.

DISPOSITION: 2-9-60. Default—delivered to a charitable institution.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS\*

26205. Raspberry bars and peach-apricot bars. (F.D.C. No. 43913. S. Nos. 72-917/8 P.)

QUANTITY: 21 cases, 24 1-lb. pkgs. each, of raspberry bars, and 70 cases, 24 1-lb. pkgs. each, of peach-apricot bars, at Brooklyn, N.Y.

SHIPPED: 10-14-59 and 11-4-59, from Passaic, N.J., by Weston Biscuit Co.

LABEL IN PART: (Pkg.) "Weston's Raspberry [or "Peach-Apricot"] Bars \* \* \* Weston Biscuit Company, Passaic, N.J."

LIBELED: 12-7-59, E. Dist. N.Y.

CHARGE: Raspberry bar, 402(b)(2)—when shipped, dates, oats, artificial color, artificial flavor, and other ingredients, had been substituted in whole or in part for raspberries in its filling; 402(b)(4)—dates, oats, artificial color, artificial flavor, and other ingredients, had been added to the article or mixed or packed therewith so as to make the article appear better or of greater value than it was; 403(a)—the name of the article "Raspberry Bars," and the vignette displaying cookie bars appearing to contain whole raspberries, were false and misleading as applied to an article in which dates, oats, artificial flavor, artificial color, and other ingredients had been substituted for raspberries; and 403(i)(2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since the article contained dates and other ingredients not declared on its label.

Peach-apricot bar, 402(b)(2)—when shipped, figs, oats, artificial flavor and artificial color, in addition to other ingredients, had been substituted in whole or in part for peaches and apricots in its filling; 402(b)(4)—figs, oats, artificial flavor and artificial color, in addition to other ingredients, had been added to the article, or mixed or packed therewith so as to make it appear better or of greater value than it was; 403(a)—the label statement "Ingredients: Peaches, Apricots," the name of the article "Peach-Apricot Bars," and the vignette displaying peaches and apricots and cookie bars appearing to contain a filling of peaches and apricots were false and misleading as applied to an article in which figs, oats, artificial flavor, and artificial color had been substituted for peaches and apricots; 403(i)(2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since the article contained oats and artificial coloring which were not declared on its label; and 403(k)—the article contained artificial coloring and its labeling failed to state that fact.

DISPOSITION: 1-7-60. Default—delivered to a charitable institution.

\*See also No. 26278.