ALLEGED SHIPMENT: On or about May 29, 1945, by A. G. E. Abendroth, from New York, N. Y.

PRODUCT: 512 cases, each containing 8 40-pound boxes, and 24 cases, each containing 10 20-pound boxes, of peanut brittle at Portland, Oreg.

LABEL, IN PART: "Manee Product of Cuba * * * Peanut Brittle."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and pupae.

DISPOSITION: On October 17, 1945, the sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

10101. Misbranding of Spanish nut toffee. U. S. v. 12 Cases of Spanish Nut Toffee. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 17334. Sample No. 32217–H.)

LIBEL FILED: August 31, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about July 13, 1945, by the California Fruit Chimes Co., from San Gabriel, Calif.

PRODUCT: 12 cases, each containing 60 5-ounce boxes, of Spanish nut toffee at Phoenix, Ariz. Examination showed that the boxes contained irregular pieces of peanut-brittle type candy, and that there was an excessive amount of unfilled space in the boxes.

NATURE OF CHARGE: Misbranding, Section 403 (d), the container was so made, formed, and filled as to be misleading, since the box was too large for the amount of candy contained therein.

DISPOSITION: November 8, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

CHOCOLATE

10102. Adulteration of chocolate. U. S. v. 9 Bales of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17459. Sample No. 13761–H.)

LIBEL FILED: September 19, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 24, 1945, by the Klein Chocolate Co., Inc., from Elizabethtown, Pa.

PRODUCT: 9 bales, each containing 18 10-pound slabs, of chocolate coating at Cleveland, Ohio.

LABEL, IN PART: "Kleins Liquor Chocolate Coating."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect fragments.

DISPOSITION: September 24, 1945. The Mackenzie Candy Co., Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be cleaned in order to eliminate all filth, under the supervision of the Food and Drug Administration. It was further provided that if it was not possible to clean the product properly that it be disposed of for purposes other than human consumption or destroyed.

10103. Adulteration of chocolate. U. S. v. 6 Bags of Chocolate. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17752. Sample No. 14412–H.)

LIBEL FILED: October 9, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about July 28, 1944, by the Brewster Ideal Chocolate Co., from Newark, N. J.

PRODUCT: 6 200-pound bags of chocolate at Mansfield, Ohio.

LABEL, IN PART: "Regal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insect fragments, and larvae.