PRODUCT: 60 boxes, each containing 24 ¾-ounce bags, of Chocolate Candy Cups at Camden, N. J. Examination showed that the product was a cup-shaped confection, consisting essentially of sirup-coated popcorn with a small amount of sweet chocolate coating on top. It had no distinctive flavor of honey, and it was short-weight.

LABEL, IN PART: "Snow Drift Chocolate Candy Cup net wt. ¾ oz. Chocolate, Honey & Popcorn."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Chocolate Candy Cup" was false and misleading as applied to sirup-coated popcorn with a small amount of sweet chocolate on top only; and the label statement "Chocolate, Honey & Popcorn" was misleading by reason of the order in which the ingredients were listed, since chocolate and honey were present only in small amounts. Further misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.

DISPOSITION: March 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

12033. Adulteration and misbranding of candy. U. S. v. 4 Cartons * * *. (F. D. C. No. 22646. Sample No. 91971–H.)

LIBEL FILED: March 26, 1947, District of Colorado.

ALLEGED SHIPMENT: On or about October 28, 1946, by the L. R. Stone Co., Inc., from Los Angeles, Calif.

PRODUCT: 4 20-pound cartons of pecan rolls at Pueblo, Colo. Examination showed that the article contained walnuts, but no pecans, and that it contained also a coal-tar color, lithol red, not certifiable for use in foods, which had been absorbed from the printed wrapper of the candy.

LABEL, IN PART: "Delmar Miniature Pecan Rolls."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pecans, had been in whole or in part omitted from the article; and, Section 402 (c), the article contained a coal-tar color that had not been listed for food in accordance with the regulations, and was other than one from a batch that had been certified.

Misbranding, Section 402 (a), the label designation "Pecan Rolls" was false and misleading.

DISPOSITION: April 9, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12034. Adulteration and misbranding of candy. U. S. v. 37 Cases, etc. (F. D. C. No. 22402. Sample Nos. 81527–H, 81528–H, 81532–H, 81533–H.)

LIBEL FILED: On or about February 13, 1947, District of Oregon.

ALLEGED SHIPMENT: On or about November 23, 1946, by L. R. Stone Co., Inc., from Los Angeles, Calif.

PRODUCT: 37 cases, each containing 48 bags, of Nougat Croquettes and 4 cases, each containing 48 bags, of pecan rolls at Portland, Oreg. Examination showed that both products were short-weight, and that the pecan rolls contained walnut meats and no pecan meats.

LABEL, IN PART: "Hollywood Sweets Brand Fresh Nougat Croquette Net Wt. 8 Ozs. [or "Miniature Pecan Rolls Net Wt. 8 Ozs."]."

NATURE OF CHARGE: Pecan Rolls. Adulteration, Section 402 (b) (1), a valuable constituent, pecans, had been in whole or in part omitted from the article. Misbranding, Section 403 (a), the designation "Pecan Rolls" was false and misleading.

Both articles. Misbranding, Section 403 (e) (2), they failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 3, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization.

12035. Adulteration and misbranding of candy bars. U. S. v. 53 Boxes * * *. (F. D. C. No. 22706. Sample No. 54372–H.)

LIBEL FILED: March 24, 1947, Western District of North Carolina.