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 rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (a), the label statement "Made in Accordance with Pure Food Laws" was false and misleading as applied to an article which was not made in accordance with pure food laws; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The boxes contained less than 1 pound, the declared weight.)

DISPOSITION: October 24, 1947. Default decree of forfeiture and destruction.

12463. Adulteration of candy. U. S. v. 88 Boxes * * *. (F. D. C. No. 24034. Sample No. 24394–K.)

LIBEL FILED: December 23, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: On or about November 19, 1947, by Fenn Brothers, Inc., from Sioux Falls, S. Dak.

PRODUCT: 88 boxes, each containing 12 bars, of English Style Toffee at Sheldon, Iowa.

LABEL, IN PART: "Fenn's Butter Brickle English Style Toffee Net Weight ¾ Oz."

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 insect fragments and rodent hair fragments; and, Section 402 (a) (4), it was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 24, 1948. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12464. Misbranding of candy. U. S. v. 158 Dozen Boxes, etc. (F. D. C. No. 23715. Sample No. 8741–K.)

LIBEL FILED: September 23, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about March 10, 1947, by Mayfair Candies, Inc., from Brooklyn, N. Y.

PRODUCT: 414 dozen boxes of candy at Jersey City, N. J. Examination showed that the boxes contained an average of 21 pieces of candy, whereas approximately 35 pieces could be placed in each box.

LABEL, IN PART: "Net weight 1½ Ozs. Dunhills Quality Candies Root Beer Drops [or "Lemon Drops," or "Wild Cherry Drops Imitation"] Mfd. by Cocilana, Inc. Brooklyn, N. Y."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since approximately 14 additional pieces of candy could be placed in each box.

DISPOSITION: November 25, 1947. Default decree of condemnation. A portion of the product was ordered delivered to the Food and Drug Administration, and the remainder was ordered delivered to charitable institutions.

12465. Misbranding of candy. U. S. v. 29 Cases * * *. (F. D. C. No. 24124. Sample No. 3208–K.)

LIBEL FILED: November 24, 1947, District of Maryland.

ALLEGED SHIPMENT: On or about October 7, 1947, by Edgar P. Lewis & Sons, Inc., from Malden, Mass.

PRODUCT: 29 cases, each containing 24 1-pound packages, of candy at Baltimore, Md.

LABEL, IN PART: "Lewis 1883 Candies * * * Net Wt. 1 Lb."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short-weight.)

DISPOSITION: December 10, 1947. Edgar P. Lewis & Sons, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repackaged under the supervision of the Food and Drug Administration.