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 beetles, larvae, and insect excreta.

DISPOSITION: September 25, 1947. Surplus Sales Stores of Honolulu, Ltd., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be disposed of as hog feed, or for purposes other than human consumption, under the supervision of the Food and Drug Administration.

12647. Misbranding of candy. U. S. v. 28 Cartons * * *. (F. D. C. No. 24298. Sample No. 8239-K.)

LIBEL FILED: January 6, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about November 3, 1947, by the Phoenix Candy Co., from Brooklyn, N. Y.

PRODUCT: 28 cartons, each containing 24 packages, of candy at East Orange, N. J.

LABEL, IN PART: (Package) "Net Weight One Pound Phoenix Rum & Butter Toffee * * * Ingredients: Sugar, Corn Syrup, Condensed Milk, vegetable shortening, soya bean flour, artificial flavor."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Rum & Butter" was false and misleading as applied to the article, which contained artificial rum flavoring and little or no butter; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-weight.)

DISPOSITION: March 22, 1948. Default decree of condemnation. The product was ordered delivered to charitable organizations.

12648. Misbranding of chocolate Easter eggs. U. S. v. 66 Cartons * * *. (F. D. C. No. 24344. Sample No. 8074-K.)

LIBEL FILED: February 13, 1948, District of Connecticut.

ALLEGED SHIPMENT: On or about January 13, 1948, by the Karloff Confectionery Co., from Philadelphia, Pa.

PRODUCT: 66 cartons each containing 1 chocolate-covered Easter egg at Bridgeport, Conn.

LABEL, IN PART: "Easter Greetings."

NATURE OF CHARGE: Misbranding, Section 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (1), the label failed to bear the common or usual name of the food; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: March 12, 1948. Default decree of condemnation. The product was ordered delivered to charitable institutions.

12649. Misbranding of chocolate bars. U. S. v. 240 Cases * * *. (F. D. C. No. 20419. Sample No. 15839-H.)

LIBEL FILED: August 2, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about June 6, 1946, by the Cook Chocolate Co., from Chicago, Ill.

PRODUCT: 240 cases each containing 12 boxes of 24 chocolate bars at Detroit, Mich.

LABEL, IN PART: "Sweet Chocolate Vita Sert Vitamin Bar," or "Sweet Chocolate Candy Vita Sert Sweet Chocolate."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for sweet chocolate, in that it contained added vitamins A, B_1, C, D, niacinamide, and riboflavin, which vitamins are not permitted as ingredients of sweet chocolate in the definition and standard.

DISPOSITION: November 15, 1946. The Cook Chocolate Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.