

The article was alleged to be misbranded in that the statements, (carton) "12 Oz." (jars) "12 Ozs. Net Weight," were false and misleading since the average net weight found was 11.53 ounces; it was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On January 27, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On May 13, 1940, the decree was amended to provide for distribution of the product to a charitable institution.

SACCHARINE PRODUCTS

CANDY

924. Adulteration of candy. U. S. v. 77 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2537. Sample No. 36934-E.)

Samples of this product were found to contain rodent hairs and rodent excreta.

On August 16, 1940, the United States attorney for the District of Rhode Island filed a libel against 77 boxes of candy at Woonsocket, R. I., alleging that the article had been shipped in interstate commerce on or about July 3, 1940, by the Chardon Chocolates Co. from Boston, Mass.; and charging that it was adulterated. It was labeled in part: "Cavalcade Package * * * Assorted Chocolates * * * Mfd. for Chardon Chocolates Co. Belmont, Mass."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On September 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

925. Adulteration of candy. U. S. v. 25 Cases and 2 Cases of Candy. Consent decrees of condemnation and destruction. (F. D. C. Nos. 2384, 2404. Sample Nos. 16138-E, 16139-E, 16766-E.)

Samples taken from both these lots of candy were found to contain rodent hairs and those taken from one of the lots were also found to contain insect fragments.

On July 17 and 23, 1940, the United States attorney for the District of Kansas filed libels against 25 cases of candy at Topeka, Kans., and 2 cases of candy at Hutchinson, Kans., alleging that the article had been shipped in interstate commerce on or about May 23 and June 24, 1940, by the Chase Candy Co. from St. Joseph, Mo.; and charging that it was adulterated. The article was labeled in part variously: "Orange Slices," "Chocolate Dipped Peanuts," or "Carnival Squares."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 22 and August 6, 1940, the intervenors having admitted the allegations of the libel and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.

926. Adulteration of candy. U. S. v. 2 Cans of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2527. Sample No. 16152-E.)

Samples of this product were found to contain rodent hairs, human hairs, and insect fragments.

On August 13, 1940, the United States attorney for the District of Nebraska filed a libel against two cans of candy at Grand Island, Nebr., alleging that the article had been shipped in interstate commerce on or about June 12, 1940, by the Crane Chocolate Co. from Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "Crane's 50# Minted Lime Crisp."

On October 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

927. Adulteration of candy. U. S. v. 4 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2383. Sample No. 9948-E.)

Samples of this product were found to contain rodent hairs.

On July 18, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against four cases of lemon drops at New Orleans,

La., alleging that the article had been shipped in interstate commerce on or about June 11, 1940, by the Crown Candy Co. from Atlanta, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On September 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

928. Adulteration of candy. U. S. v. 12 Packages and 24 Boxes of Candy Bars. Default decree of condemnation and destruction. (F. D. C. No. 2485. Sample Nos. 20075-E, 20249-E.)

Samples of this product were found to be insect-infested and to contain rodent hairs and rodent excreta.

On or about August 7, 1940, the United States attorney for the Southern District of Georgia filed a libel against 12 packages and 24 boxes of peanut bars at Brunswick, Ga., alleging that the article had been shipped in interstate commerce on or about July 15 and 25, 1940, by the Dillon Candy Co. from Jacksonville, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "5¢ Dillon's Peanut Bar."

On September 14, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

929. Adulteration of candy. U. S. v. 114 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2434. Sample No. 2823-E.)

Samples of this product were found to contain rodent hairs and rodent excreta.

On July 26, 1940, the United States attorney for the District of Maine filed a libel against 114 boxes of candy at Portland, Maine, alleging that the article had been shipped on or about July 5, 1940, by D'Orlando & Co. from Boston, Mass.; and charging that it was adulterated. It was labeled in part: "Kenwyn Chocolate Cordial Cherries * * * Packed Expressly For Prospect Chocolate Co. Boston, Mass."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On August 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

930. Adulteration of candy. U. S. v. 34 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 1938. Sample No. 13653-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested.

On May 11, 1940, the United States attorney for the Eastern District of Washington filed a libel against 34 cartons of candy at Wenatchee, Wash., alleging that the article had been shipped in interstate commerce on or about December 5, 1938, by the Euclid Candy Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Nut Roll."

On June 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

931. Adulteration of candy. U. S. v. 24 Cartons and 5 Cartons of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 2522, 2523. Sample Nos. 359-E, 20423-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to contain rodent hairs and insect fragments.

On August 12 and 14, 1940, the United States attorneys for the Western District of North Carolina and the Western District of South Carolina filed libels against 24 cartons of candy at Charlotte, N. C., and 5 cartons at Spartanburg, S. C., alleging that the article had been shipped in interstate commerce on or about July 22, 1940, by the Johnson-Fluker Co. from Atlanta, Ga.; and charging that it was adulterated. It was labeled in part: "M. M. Peanuts Small" or "Daisy Mixture."