ALLEGED SHIPMENT: On or about October 11, 1945, by John Milazzo, from New York, N. Y.

PRODUCT: 216 cartons, each containing 18 10-ounce boxes, of candy at Boston, Mass.

LABEL, IN PART: "Torrone Benevento Nougat Candy Manufactured by Casale & Affronti Co., Brooklyn 1, N. Y."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container was so filled as to be misleading, since the candy occupied on an average only 56 percent of the box. (There were 18 small boxes in each carton, and each small box contained a piece of nougat candy wrapped in wax paper.)

DISPOSITION: On March 14, 1946, the case was transferred to the Southern District of New York on motion of the claimant, Casale & Affronti Co. On August 18, 1948, the claimant withdrew its claim and answer, and a decree of condemnation and destruction was entered.

13574. Misbranding of candy. U. S. v. 74 Packages, etc. (and 1 other seizure action). (F. D. C. No. 23994. Sample Nos. 36424–K, 36425–K.)

LIBELS FILED: December 9, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about September 19, 1947, by the Associated Foods Co., from Philadelphia, Pa.

PRODUCT: 82 1-pound packages and 296 11-ounce packages of candy at Seattle, Wash.

LABEL, IN PART: "Majesty Creamy Mints Net Weight 1 Lb.," or "Net Weight 11 Oz. or over Majesty Creamy Mints."

NATURE OF CHARGE: Misbranding, Section 403 (d), the containers were so made, formed, and filled as to be misleading, since the product in the 1-pound box occupied approximately 56 percent of the volume of the box and the product in the 11-ounce tin occupied approximately 64 percent of the volume of the tin.

DISPOSITION: April 15, 1948. Default decrees of condemnation. The product was ordered delivered to charitable institutions.

13575. Adulteration of Cracker Jack. U. S. v. 226 Cases, etc. (F. D. C. No. 24617. Sample Nos. 16837–K, 16847–K, 16848–K.)

LIBEL FILED: April 30, 1948, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about November 13, 1947, and January 19 and April 6, 1948, by the Cracker Jack Co., from Chicago, Ill.

PRODUCT: Cracker Jack. 226 cases, each containing 100 boxes, 112 cases, each containing 123 boxes, and 45 cases, each containing 24 boxes, at Milwaukee, Wis.

LABEL, IN PART: "Cracker Jack Popcorn Confection Net Wgt. 1¼ Oz. Toy or Novelty in each package."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained metal and plastic toys, added deleterious substances, which may have rendered the product injurious to health; and, Section 402 (d), it was a confection and contained nonnutritive articles, plastic and metal toys.

DISPOSITION: August 31, 1948. The shipper and the consignee having consented to the entry of a decree, judgment of condemnation was entered. The product was ordered delivered to charitable institutions, conditioned that the unwrapped plastic and metal toys be removed from the packages before distribution to the inmates.

SIRUP AND SUGAR

13576. Adulteration and misbranding of pancake sirup. U. S. v. 18 cases * * *. (F. D. C. No. 23175. Sample No. 90638–H.)

LIBEL FILED: June 11, 1947, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about March 11, 1947, by Big Maple Food Products, from Brooklyn, N. Y.

PRODUCT: 18 cases, each containing 24 pint bottles, of pancake sirup at Windsor, N. C.

LABEL, IN PART: "Contents 1 Pint Big Maple Brand Pancake Syrup [Design of maple trees] Cane Sugar Syrup Pure Maple Flavor."