

3994. Adulteration of candy. U. S. v. 6 Boxes and 2 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 7602. Sample Nos. 80613-E, 80614-E.)

This product contained rodent hairs.

On June 2, 1942, the United States attorney for the Southern District of Indiana filed a libel against 6 5-pound boxes and 2 30-pound cartons of candy at Richmond, Ind., alleging that the article had been shipped in interstate commerce on or about May 5, 1942, by the Ohio Confection Co. from Cleveland, Ohio; and charging that it was adulterated in that it consisted wholly 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. The article was labeled in part: "Light Chocolate Covered Coconut Marshmallows," or "Rainbow Mix."

On July 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3995. Adulteration of candy. U. S. v. 9 Packages and 12 Packages of Candy. Default decree of condemnation and destruction. (F. D. C. No. 7929. Sample Nos. 12002-F, 12003-F.)

Rodent excreta, rodent hairs, hairs resembling rodent hairs, and insect fragments were found in samples taken from this candy.

On July 16, 1942, the United States attorney for the Western District of Washington filed a libel against 21 packages each containing 2 pounds of candy at Takoma, Wash., alleging that the article had been shipped in interstate commerce by the Avalon Candy Co. from Portland, Oreg.; and charging that it was adulterated in that it consisted wholly 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. The article was labeled in part: "Avalon Popular Assortment Hand Roll and Chewing Chocolates," or "Avalon Paramount Chocolates."

On September 11, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3996. Adulteration of candy. U. S. v. 14, 19, and 7 Packages of Candy. Default decree of condemnation and destruction. (F. D. C. No. 7645. Sample Nos. 93243-E to 93245-E, incl.)

This product contained mammalian hairs resembling those of rodents.

On June 13, 1942, the United States attorney for the Western District of Washington filed a libel against a total of 40 packages of candy at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about May 25, 1942, by Loose-Wiles Biscuit Co. from Portland, Oreg.; and charging that it was adulterated in that it consisted wholly 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. The article was labeled in part: "Sunshine Chocolate Chips", or "Sunshine Candies * * * Jumbo Gums [or "Commercial Chocolates"]."

On July 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3997. Misbranding of candy. U. S. v. 39 Cartons, 43 Cartons, 25 Cartons, and 42 Cartons of Candy. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 7772. Sample Nos. 92572-E to 92575-E, incl.)

Within these cartons were boxes, each containing a cellophane bag of candies. The bags occupied only from 57 to 60 percent of the space in the boxes. Portions were short of the declared weight.

On June 18, 1942, the United States attorney for the Southern District of California filed a libel against a total of 149 cartons, each containing 24 boxes, of candy at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about March 11, 1942, by Bon Candies, Inc., from Chicago, Ill.; and charging that it was misbranded. The article was labeled in part: (Boxes) "Bitsies [or "Peanuts," "Lassies," or "Carmies"] * * * 2 Ozs. Or Over."

The article was alleged to be misbranded in that the containers were so made, formed, or filled as to be misleading. Portions were alleged to be misbranded further in that the statement "Net Wgt. 2 Ozs. Or Over" was false and misleading as applied to an article that was short of the declared weight, and in