

6074. Misbranding of candy. U. S. v. 45 Boxes of J&J Peanut Bar and 40 Boxes of Cocoanut Roll. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12446. Sample Nos. 35974-F, 35975-F.)

LABEL FILED: June 7, 1944, Northern District of Alabama.

ALLEGED SHIPMENT: On or about April 26, 1944, by the J & J Candy Co., Charlotte, N. C.

PRODUCT: A total of 85 boxes, each containing 30 bars, of candy at Gadsden, Ala.

VIOLATION CHARGED: Misbranding, Section 403 (a), in that the name "Peanut Bar" was misleading since the article contained puffed wheat in addition to peanuts; and in that the name "Cocoanut Roll" was misleading since the article contained corn flakes in addition to coconut.

DISPOSITION: July 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

6075. Misbranding of candy. U. S. v. 14 Cartons of Candy. Default decree of condemnation. Product ordered distributed to various charitable institutions. (F. D. C. No. 12886. Sample No. 33878-F.)

LABEL FILED: July 5, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about June 12, 1944, by the Charms Sales Co., from Bloomfield, N. J.

PRODUCT: 14 cartons, each containing 288 boxes, of candy at Buffalo, N. Y.

LABEL, IN PART: (Boxes) "Net Wgt. 1½ Oz. Charms Assorted Candy Drops."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Net Wgt. 1½ Oz." was false and misleading as applied to an article that was short weight; and, Section 403 (e) (2), the article was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to various charitable institutions.

COCOA

6076. Adulteration of cocoa substitute. U. S. v. 63 Bags of Cocoa Substitute. Default decree of condemnation and destruction. (F. D. C. No. 12712. Sample No. 71265-F.)

LABEL FILED: June 20, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about May 6, 1943, by J. B. Robinson, from Cleveland, Ohio.

PRODUCT: 63 bags, each containing 24 1-pound bags, of cocoa substitute at Salem, Oreg.

LABEL, IN PART: (Packages) "Drink Robinson's Fine Breakfast Cocoa Substitute."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hair fragments, and fragments resembling rodent hairs.

DISPOSITION: August 11, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6077. Adulteration and misbranding of cocoa. U. S. v. 12 Barrels of "Cocoa Blend," and 20 Bags of "Blend Cocoa." Default decree of condemnation and destruction. (F. D. C. No. 11797. Sample Nos. 49425-F, 49426-F.)

LABEL FILED: February 12, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: December 28, 1943, by the Dairy and Ice Cream Supply Co., Atlanta, Ga.

PRODUCT: 12 200-pound barrels and 20 140-pound bags of cocoa, at Cincinnati, Ohio.

LABEL, IN PART: (Barrel heads) "Cocoa 200 Lbs. Net [written in indistinct blue pencil] Blend," (shipping tag attached to bags) "Blend Cocoa."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a mixture of cocoa and cocoa shells had been substituted in whole or in part for "Cocoa," "Blend Cocoa," or "Cocoa Blend," which the articles purported and were represented