

ALLEGED SHIPMENT: On or about July 1, 1943, by Torn & Glasser, Los Angeles, Calif.

PRODUCT: 13 18-pound cases of candy at Seattle, Wash.

LABEL, IN PART: "Apricot Nut Rolls."

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

DISPOSITION: April 28, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6450. Adulteration of candy. U. S. v. 197 Boxes of Chocolate Peanut Bars. Default decree of condemnation and destruction. (F. D. C. No. 11987. Sample No. 66153-F.)

LIBEL FILED: March 9, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about February 16, 1944, by the Melba Sweets Co., from West New York, N. J.

PRODUCT: 197 boxes, each containing 24 1½-ounce bars of candy at Brooklyn, N. Y.

LABEL, IN PART: (Boxes) "Melba's Sweet Chocolate Peanut Bars."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 19, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6451. Misbranding of candy. U. S. v. 12 Cartons of Candy. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 12100. Sample Nos. 54026-F, 54032-F.)

LIBEL FILED: March 27, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about December 22, 1943, by the Keystone Candy Sales Corporation, New York, N. Y.

PRODUCT: 12 cartons, each containing 53 1-pound boxes, of candy, at Los Angeles, Calif.

LABEL, IN PART: (Boxes) "Miss Marvin's Chocolate Covered Fruit and Nut Bar in Cream."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements on the labeling, "Fruit and Nut Bar," and "Mixed Fruits & Nuts," were false and misleading as applied to the article, which contained no fruit other than ½ percent of citrus peel and 1 fragment of cherry in a pound, and only about 5 percent of peanuts, with no other nuts; Section 403 (d), the container was so filled as to be misleading since the candy occupied only about 40 percent of the volume of the box; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since soya flour was not declared.

DISPOSITION: April 21, 1944. The Mid-City Candy Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repacked and relabeled under the supervision of the Federal Security Agency.

COCOA AND CHOCOLATE*

6452. Adulteration and misbranding of cocoa. U. S. v. 354 Cases of Cocoa. Default decree of condemnation and destruction. (F. D. C. No. 12148. Sample No. 35766-F.)

LIBEL FILED: On or about April 11, 1944, Northern District of Georgia.

ALLEGED SHIPMENT: On or about October 4, and November 15, 1943, by the Brown-Rogers-Dixson Co., from Winston-Salem, N. C.

PRODUCT: 354 cases, each containing 12 bags of cocoa, some bags unlabeled, at Atlanta, Ga.

LABEL, IN PART: (Portion of product, bags) "Old Fashion Cocoa with stabilizer added * * * Manufactured by Selected Dairies, Inc."

*See also Nos. 6401 and 6584.