

DISPOSITION: December 31, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11348. Adulteration of chocolate nut fudge. U. S. v. 8 Packages * * *. (F. D. C. No. 20609. Sample No. 1766-H.)

LIBEL FILED: August 7, 1946, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about July 22, 1946, by United Food Brokers, from Atlanta, Ga.

PRODUCT: 8 packages, containing a total of 400 pounds, of chocolate nut fudge at Cleveland, Tenn.

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

DISPOSITION: November 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11349. Misbranding of candy. U. S. v. 7 Cases * * *. (F. D. C. No. 20401. Sample No. 1274-H.)

LIBEL FILED: July 11, 1946, Middle District of Georgia.

ALLEGED SHIPMENT: On or about June 18, 1946, by the Bob Hofeller Products Co., from Chicago, Ill.

PRODUCT: 7 cases, each containing 550 1-ounce packages, of candy at Moultrie, Ga. The article was short-weight, and each package contained 4 paper-wrapped pieces of candy which occupied less than one-half of the capacity of the package.

LABEL, IN PART: "Star Wrapped Confection. Minimum Net Weight One Ounce."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since the candy occupied only about one-half of the capacity of the packages; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: September 28, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

11350. Misbranding of lemon drops. U. S. v. 12 Cases * * *. (F. D. C. No. 20508. Sample No. 63551-H.)

LIBEL FILED: July 11, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about May 10, 1946, by Huyler's, Inc., from Long Island City, N. Y.

PRODUCT: 12 cases, each containing 36 1-pound tins, of Huyler's lemon drops at North Bergen, N. J. The tins contained an average of 75 pieces of candy.

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since approximately 16 additional pieces of candy could have been placed in the tin container.

DISPOSITION: September 24, 1946. Huyler's, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for repacking under the supervision of the Food and Drug Administration.

11351. Misbranding of peanut crunch. U. S. v. 112 Cans * * *. (F. D. C. No. 20608. Sample No. 50795-H.)

LIBEL FILED: August 2, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about June 4, 1946, by the Moss Brothers Nut Co., from Philadelphia, Pa.

PRODUCT: 112 cans of peanut crunch at Minneapolis, Minn. Examination showed that the product was short-weight.

LABEL, IN PART: "Chunk-E-Nut Brand Old Fashioned Peanut Crunch Delicious Candy Treat Net Weight One Pound."